

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-080

Complainant: No. 1306010229A

Judge: No. 1306010229B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised are legal or appellate in nature.

The commission is not an appellate court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: July 11, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on July 11, 2007.

This order may not be used as a basis for disqualification of a judge.

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

CJC-07-080

COMPLAINT AGAINST A JUDGE

Your name: Judge's name: Date: 03/26/2007

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

Exhibit "A" (Attached) indicates the time-line of this case. This exhibit clearly defines the actions of: the Plaintiff, the Defendant and the Court. Additionally, this exhibit notes the violations of the A.R.C.P. which, in summary, are the following:

- I. Rulings made by the Judge on Plaintiff's motions without allowing Defendant time to rebut.
- II. The Judge held a telephonic Pre-Trial conference without the attendance of the Defendant. Why was the Defendant absent? The Defendant was awaiting the Court's ruling on the Plaintiff's motion for telephonic appearance and the Court's ruling on the Defendant's motion to deny the telephonic appearance. Without the Court's ruling on these two motions, the Defendant assumed the Court had yet to decide if a telephonic Pre-Trial would be allowed and Court did not confirm.
- III. The Court never ruled on the Defendant's motion to dismiss in which the Defendant clearly indicated the Plaintiff exceeded the A.R.C.P. 120 day rule for submitting Proof of Claim and Discovery. In fact, the Defendant has NEVER seen any documentation supporting the Plaintiff's claim for money.
- IV. Plaintiff filed a motion for Default Judgment (as the Defendant was not present at the telephonic Pre-Trial) SEE II. ABOVE. on Court ordered the judgment on which did not allow the Defendant time to rebut. Also the Court did not mail the Court's order for judgment until (See scanned copy of the mailing envelope). Defendant received the Court's order on
- V. Court's staff has (except for judgment order) NEVER mailed any Court orders to the Defendant. When the Defendant attempted, on to obtain copies of the Court orders, court manager, responded with hostility, belligerence and arrogance and responded she was short-staffed and would mail them. Defendant left the court without any documents whatsoever.

SUMMARY: Defendant never had his "day in Court" and was denied any representation of facts.

(Attach additional sheets as needed)