

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-128

Complainants: No. 1393210237A

Judge: No. 1393210237B

ORDER

The complainants alleged that two justices of the peace acted unfairly and refused to allow a party to be represented by counsel. After reviewing the judges' responses, the case file, and the recordings of the proceedings, the commission found no evidence of ethical misconduct on the part of either judge. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 8, 2010.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on September 8, 2010.

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

To the council

I hope you can help; I am a 100% disabled veteran i.e... Disabled in the service of the country after 16 1/2 years of service! My step daughter Serena is attending college to be a nurse, on my VA benefits (the government is paying for her college)

Her boy friend was stopped and had an outstanding traffic ticket so he lied about his name to a police officer, the officer ask her if that was his name and she lied and said I guess.

They arrested him and her and charged her with giving false information. We thought she would get a night in jail and a small fine witch would have been a fair and proportional sentence for lying, but the judge after doing nothing to Him, fined her fifteen hundred dollars and several days in jail and refused her an attorney.

A friend of mine, a retired California attorney named Bob told her to ask the judge to withdraw the guilty plea that he entered for her and ask if he could come and represented her as a lay person. The judge denied this and denied her a court appointed attorney.

We where told She went in front of a second judge who changed her sentence to time served and a smaller fine. She was rearrested by the first judge and We where told that the judge said he did not care what the other judge did and sentenced her to two thirty day sentences in jail and a large fine and again refused her legal council!

Since she is missing her College finals, this will mess up the rest of her life she can no longer get VA benefits and can not make up the college or finish to become a nurse.

We Hired a lawyer Named Lee Novak phone He filed a motion of reconsideration explaining she was both denied council and that she was missing her finals and ask the judge to ether release her immediately or schedule a hearing where he could represent her as proper council! If he really felt she deserved the time she could be released to finish her finals and then serve the time! The attorney said the judge did neither and refused to hear it! The attorney stated the judge instead wrote a long cover your ass type hand written statement that the attorney thought was in response to has request for reconsideration and the attorney felt she was being treated unfairly, He said that he felt this was not the first time this judge had acted this way. He said he had seen this happen with this judge before.

I served and sacrificed under the belief that this was not USSR, I believed everybody had a fair chance, and would be treated equally. I have two lawyers that have stated this judge has no controls and is free to act anyway he wants without regulation. They have stated they believe this guy is being unfair and destroying a young girl's life without proper consideration or representation, a constitutional right. Or system is supposed to be based on fairness and proportional treatment and we are supposed to be guaranteed certain rights by the constitution, like legal representation. I hope you can help since her life is being destroyed. She has been fined thousands and given excessive jail time without proper representation. We spent a thousand dollars to hire her lawyer and save her college but the judge refused to let him represent her in court. Her life is being destroyed.

Sincerely

The attorney Mr. Novak and the court sent me a copy of the minute order! In the case of Serena Kingman justice court, Kingman Arizona

In the "order" the judge does not mention that when she asks to withdraw the guilty plea he had entered for her and have bob O'Connor a retired attorney represent her as a lay person, that he denied it!

He also says she lied too the second judge and did not serve a night in jail,

An Order to show cause" was issued and the night she was picked up for not showing up on the 10th she spent the night in jail before going in front of judge who then gave her time served! He also denies she ask for an attorney!

He admits that after she spent the night in jail and went in front of Judge he ruled time served!

He also admits that when she showed up to scheduled her payments. That she was directed by the clerk to go in front of judge . Who then gave her another 30 days for contempt!

Had she been given an attorney as requested from the start she would have never been in contempt!

How did he have the authority to intervene in a case judge had already ruled on and have a clerk show her into the court room when she showed up to schedule payments and find her in contempt another time and give her another non bail able 30 days!

I am not a lawyer, but if Judge felt he had cause, he could have issued another order and had her brought before the court, under the proper circumstances and laws.

But what law allows another judge to have someone shown into the court room on a case they are no longer over and then sentence them!

What do you think!