

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-225

Complainant: No. 0313210550A

Judge: No. 0313210550B

ORDER

The complainant alleged that a superior court judge failed to disqualify herself after he named the judge in a special action. He further alleged the judge made an error in a minute entry. The commission reviewed the issues and found no evidence of ethical misconduct on the part of the judge. Naming a judge in a lawsuit or special action does not require the judge to disqualify. Court rulings are within the discretion of the judge and outside the jurisdiction of the commission. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: October 22, 2010.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on October 22, 2010.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2010-225**COMPLAINT AGAINST A JUDGE**

Your name:

(Petitioner)

Judge's name:

(Respondent)

Date: Aug 2010

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

I filed A Petition in the Superior Court which was assigned to Judge [redacted]. The Petition was filed and A filed copy was returned along with A minute entry denying relief. The minute entry actually went to A previously filed ~~motion~~ Petition. I contacted the Judge regarding this error, but was denied. I filed A special Action in the Court of Appeals which declined to accept jurisdiction. I then filed A Petition for Review to the Arizona Supreme Court. Since then I filed A new Petition in the Superior Court which was assigned to Judge [redacted] who dismissed the Petition for writ of Habeas Corpus. Before receipt of the dismissal I filed A motion for change of Judge for A possible conflict of interest since the Judge is the Respondent in A special Action Petition for Review.

Since Judge [redacted] is currently the Respondent in A Petition for Review in A special Action before the Supreme Court, is there A possible conflict of interest to rule on any other pending matters?

Judge [redacted] knows she is the Respondent in the Petition for Review to the Arizona Supreme Court since she was served with A copy of the notice, see attached Exhibit B