

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-273

Complainant: Self-report No. 0308110574A

Judge: No. 0308110574B

ORDER

The judge voluntarily reported a delayed ruling. Accordingly, the commission decided to dismiss the matter with a private warning reminding the judge of his obligation to comply with statutory and constitutional time limits for ruling on pending matters and resolving pending matters.

The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 20 , 2010

FOR THE COMMISSION

/s/ William Brammer

J. William Brammer, Jr.
Commission Chair

Copies of this order were mailed
to the complainant and the judge
on December 20, 2010.

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



DIVISION A

TELEPHONE

Arizona Superior Court

October 21, 2010

E. Keith Stott, Jr., Executive Director
State of Arizona Commission on Judicial Conduct
1501 West Washington Street, Suite 229
Phoenix, AZ 85007

Re:

Dear Mr. Stott:

In furtherance of my responsibility under Rule 2.16(A) of the Arizona Code of Judicial Conduct, I am reporting my oversight and resultant failure to timely rule on a pending matter in the referenced case.

A Verified Application for Attorneys' Fees and Costs in the referenced cause of action was pending for seventy-two (72) days at the time that I rendered my ruling. In this Division, we calendar matters that are at issue and under advisement. This file and the pending Verified Application for Attorneys' Fees and Costs were mislaid without having been calendared. I discovered the file and application with documents related to another file in my chambers as I was leaving on the evening of October 20, 2010, noting that the ruling was overdue. I reviewed the application, response, and reply that evening of October 20, 2010, and rendered my ruling on October 21, 2010. I believe this was a misplacement error rather than a flaw in our calendaring process.

Please present this matter to the State of Arizona Commission on Judicial Conduct, allow me to provide you any additional information requested, and advise me of any recommended further action.

c: Hon. Robert M. Brutinel, Presiding Judge, Yavapai County Superior Court