

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-066

Complainant: No. 1414810237A

Judge: No. 1414810237B

ORDER

The complainant alleged that a justice of the peace entered summary judgment against her without giving her proper notice of the hearing or an opportunity to present evidence. After reviewing the allegations and the judge's response, the commission found no evidence of ethical misconduct. The record shows that the complainant filed an answer but did not request a hearing. The request for summary judgment was filed with a certificate of service showing the complainant received a copy two months before the request was granted. Whether the judge made the correct decision is a legal question that is outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 3, 2011

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 3, 2011.

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

Feb. 11-2011

**Complaint against Justice
#1 of attachments**

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On or about June 2010 , I was served a summons regarding a civil suit brought against me by alleged plaintiff Merrick Bank , represented by the Firm of Gurstel Chargo PA.

I responded in writing as required , to the court in laymen terms, and disputed the debt that I was being sued for. That was filed on July 7th, 2010.

I heard nothing or received nothing in mail from that point on, until almost 90 days later when I received a summary Judgement in the mail , the copy came from the Gurstel Chargo firm, and I didn't even think it was valid so I went to the courthouse to verify what was going on with this case CV10- ...the clerk at

the window was able to determine it was signature , and informed me that because I had admitted I owed the debt (which I did not ever do) and since when does a clerk tell me what I admitted in a case ?

I was not given any chance between the summons, my answer to summons and the summary judgement, to present any further argument, or even ask for evidence to be submitted that would validate a debt .

, lacking any evidence of debt, granted a summary judgement solely based on a written allegation, and nothing more...

clearly violated the following Canon's (please see also attached canon's highlighted areas of importance and applicable validity.

Rule 2.2 Impartiality and fairness

Comment 1.

Comment 4.

Rule 2.6 Ensuring rights to be heard

Comment 1.

Comment2.

It's clear that to be impartial , unbiased, and fair, a Judge must take into consideration the sophistication of legal knowledge , particular when one is NOT represented by an attorney, which I clearly was NOT.

I was not given a date for a hearing, and it shows that Justice acted on a presumption that just because an Attorney, allegedly representing a Bank , couldn't have been wrong , and frivolous in their filing a suit.

Merrick Bank had long before that date "charged off" the account, and when requested of them by me to Validate the alleged debt, their own legal dept. sent a

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letter of cease and desist, and would not further attempt to collect, as they knew it was not a valid debt.

I have also sent a personal letter of complaint to Honorable Richard Weiss, presiding judge superior courts Mohave county, Arizona. And copied that letter to justice , his response to it is also attached. He presumed again that it was only a complaint against the Gurstel Chargo firm, when in fact it was also a complaint about the Justice himself, he took it upon himself to FILE it in the case # CV 10- , and it was not a document to be filed anywhere, as it was strictly a personal correspondence.

Justice did not protect my right to be heard, allowed a money judgement order without facts of evidence, which will cause me a financial duress and may have the result of me becoming homeless.

I am trying to find out how to get this decision reversed, or vacated, or whatever it is that you call it...seeing as how I am on a fixed income of disability , I can not pay for legal help, and am forced to work through the legal system alone. It is of no comfort to think that one can't even count on an Oath of a Judge to help protect us from unfair court actions.

I reserve all rights and remedies and to bring further facts should any be left to recall later.

At this time this is to the best of my knowledge and recall, the violations as pertaining to Justice

*reserving all rights
and remedies*