

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-016

Complainant: No. 1434110864A

Judge: No. 1434110864B

ORDER

The complainant alleged that a justice court hearing officer improperly entered a judgment against him just one hour before his scheduled hearing.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant along with the case history available online, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: February 3, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on February 3, 2012.

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

I am making this complaint against Judge

for the following reasons:

Prejudice, no concern for true justice, prematurely signing a judgment, an hour before my assigned court time. I refer you to case # CC 2011 -

Upon receiving documents filing a suit for a judgment upon me, by the plaintiffs attorneys, I understood I had 40 days to respond with a 'Declaration Statement'.

I did respond. I was willing and eager to present my case. I sent the statement to the court and Plaintiffs attorneys. Before responding however, I received a 'Motion for Judgment without Hearing'. I received this motion ten days before the 40 day time limit. I was under the impression this notice was sent to me because I had not yet responded with my 'Declaration Statement'. I thought, not being an attorney myself, that the attorneys for the plaintiff assumed I wasn't going to respond thus sending me this motion. The motion was not signed which meant to me that it would have gone in that direction assuming I would not show up for court on the assigned day. Well, I really wanted to appear with my documents and explain my reasons in hope to come to some settlement. I sent my statement to the plaintiff's attorneys and the court, assuming that was the response they were waiting for. The motion for judgment did not state that any other response was needed. Nor was I informed of any particular time frame I needed to respond to this particular motion. In fact, no additional information or instructions to the Motion was ever mentioned. Keep in mind, I am not an attorney nor would hiring an attorney be in my best interest based on the amount owed. Therefore, more careful consideration by the court should have been given under the circumstances.

I did show up for my scheduled court appointed date and time but was informed that it was vacated. I was told they called me to let me know that but I was already in route to the court.

I filed a 'Motion to Vacate Judgment' but I needed not to do this if the judge wasn't so hasty about vacating my opportunity to appear. We might have settled the matter earlier without further hardship to me.

Therefore, without doubt, I feel I did not receive justice or fair treatment of any kind. Judge was too much in a hurry to move on. She demonstrated a concern more for paper procedure of the court than true justice. Her signing a judgment on the very day short of a few minutes before my appearance is a slap in the face to justice, and to me. The judge showed prejudice to the attorneys, disrespect, indifference to my rights. She couldn't wait to see if I would show up within just an hour? What kind of justice is that? What kind of judge is that? If this is justice then the system of justice in light of my experience with it, needs a purging through and through. I have stated with all sincerity my view of this matter and expect a remediation. If I am ignored, or given some bogus excuse as this was the proper thing to do, then I think the Media just might take an interest in this case.