

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 12-070

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Complainant: No. 1437900365A

Judge: No. 1437900365B

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**ORDER**

The complainant alleged that a municipal court judge discriminated against him by refusing to set aside a prior conviction.

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 and the history of case, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to investigate the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: May 23, 2012.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on May 23, 2012.

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

2-17-12

Senator Jon Kyl

2200 East Camelback, Suite 120  
Phoenix, Arizona 85016-3455

FEB 21 2012

Senator Jon Kyl,

I am writing you this letter as I have attempted to contact in writing Judge \_\_\_\_\_ of Tempe City courts and I feel I am being discriminated against by both her demeanor when speaking or writing to me and I have asked **repeatedly to have both a Motion to Reconsider as well as a Motion to Set Aside be granted on a case that was over 6 years ago** and she continues to deny my letter without no explanation or just doesn't respond to my correspondence after the first couple submitted.

I have attached both the letters originally submitted so you can read exactly what I wrote to her. Both of **these Motions exist in Our Law and the legal system** so that when people make mistakes, as I did, that they can do what's right (which I did) and eventually clear their record.

**I have reviewed the statues and the offense for which I successfully completed all that was required and have noted that this is an offense which can be set aside.**

Although after repeated attempts, she continues to deny the Motion. I have asked her for explanation and she hasn't responded.

I am Now asking you, to supersede and help me in this situation as I feel this is being held over my head after 6 years later and after I have done everything, plus some, to make this right. I am a professional in this community and would like this "Set Aside" as I do not want it to interfere with my professional life as well as my personal life.

I have attached the letters and am willing at your discretion and time to meet with you to speak about this if you prefer.

Thank You in advance.