State of Arizona

COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-068

Judge:

Complainant:

## ORDER

The complainant alleged a municipal court hearing officer made improper rulings and violated her constitutional rights in a civil traffic matter.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the hearing officer 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.

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

Dated: April 12, 2016

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the hearing officer
on April 12, 2016.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature: ⸴

Date: ·

## INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

See Attached

AZ CJC COMPLAINT FORM 2

**ARS 28-5201 (11) "Public Highway"** means a public street, alley, road, highway or thoroughfare of any kind in this state that is used by the public or that is open to the use of the public as a matter right, for the purpose of vehicular travel.

KEEP THE ABOVE ARIZONA REVISED STATUTE (ARS) 28-5201 (11) IN MIND AS YOU READ THIS COMPLAINT!

First off I'm not a **DRIVER**, I was traveling in my private conveyance/car at the time as a matter of right for the purpose of vehicular travel. ARS 28-5201(11). I am ***NOT* for HIRE or COMPENSATION** at any time. Driving is a profession that I *DO NOT* partake in.

1. On                       a RED light camera flashed me going 18 MPH in a 40 MPH. I was in a turning lane and it was yellow if it was any color. The infraction refers to a DRIVER (I deny I was driving) From                       is 22 days. The infraction was mailed           (22 days later) a court hearing was scheduled for          (22 days from          ). **ARS 28-1593(B) reads as follows:** "The original complaint shall be filed in a court having "jurisdiction" [emphasis mine] of the violation within ten court days of the time the complaint was issued. A peace officer, or duly authorized agent or someone paid to act on behalf of a traffic enforcement agency, may issue the traffic complaint.
**VIOLATION:** The timeline is well over the ten days – 22 days to be exact.

2. On the      day of the 1                       issued an "Affidavit of FACT".
3. On the                       issued a "DEFENDANTS MOTION TO DISMISS", "VERIFIED JOINDER", "VERIFIED CRIMINAL COMPLAINT", "MEMORANDUM IN SUPPORT OF 18 U.S.C. § 4", with EXHIBITS.
4. On                       issued a "RESPONDANCE SPECIAL APPEARANCE & DEMAND LETTER".
5. On           Hearing Officer                   · Denied
6. On the                       issued a "DEFENDANT'S MANDATORY JUDICIAL NOTICE of parameters of Judicial Immunity".
7. On           issued an ORDER stating the Court awaits your arraignment on

8. On the                       issued a "VERIFIED DEMAND FOR . TO DISMISS THIS ALLEGED MATTER FOR BEING IN THE CLEAR, TOTAL AND COMPLETE ABSENCE OF ALL JURISDICTION".
9. On           issued an ORDER – Denied.
10. On                       issued a "DEMAND TO RECONSIDER".
11. On           ˉet an Oral Argument as to jurisdiction ·
12. ON           received a "STATE'S NOTICE OF APPEARANCE".
13. On the                       issued a "RESCHEDULE ORAL ARGUMENT FOR WANT OF JURISDICTION" [emphasis mine] Court must produce on the record, all jurisdictional facts related to the jurisdiction asserted. LANTANA v. HARPER, 102 F2d 118, New York V. US, 337 F Supp 150; 344 F Supp 929. Brady V. Richardson, 18 Ind. 1 Bialac V Harsh, 436 F2d 1185, cert. den. 93 S Ct. 558, 34 Led2d 512. Crater Lake v. Oreson, 26 F Supp. 363 and Beauty Col. V. Huse, 195 W 160, 80 P2d 403 to name a few court cases...
14. On                       granted the Oral Argument.

15. On the                                        issued a "VERFIED NOTICE OF DEMURRER AND DEMURRER TO THE NOTICE TO APPEAR FOR LACK OF VERIFIED COMPLAINT TO INVOKE THE COURTS JURISDICTION: WITH MEMORANDUM OF LAW.  ORDER TO SHOW CAUSE, ORDER TO PROVE JURISDICITON.  LANTANA V. HARPER 102 F2d 188; CHICAGO V. NEW YORK, 37 F SUPP 150"

16. On                         scheduled Oral Argument for

17. On the                                        issued a "VERIFIED NOTICE OF APPEAL".

18. On                 there is a document CIVIL DIVISION ARRAIGNMENT on

19. On                         issued an ORDER that the case was not eligible for an appeal, there was no final order or final judgment quoting "Rule 26(a) AZ Rule of Procedure Civil Traffic & Boating Cases".

20. On                                        issued a "DEFAULT JUDGMENT".

21. On                         received a "TRAFFIC SURVIVAL SCHOOL ORDER" from ADOT, who was never a party to the case "ab initio".

22. On                         received a "CORRECTIVE ACTION" from Motor Vehicle Division, who was never a party to the case "ab initio".

23. On the                                        issued a "VERIFIED APPELLANTS OPENING BRIEF"

24. On the                                        issued a "GOOD FAITH OFFER TO PAY JUDGMENT TO

25. "NO RESPONSE, NO REBUTTAL FROM                         in regards to the offer to pay.

26. On                                        ssued a "NOTICE OF DEFAULT AND RELATED DISCHARGE regarding the OFFER TO PAY".

27.              started receiving Collection notices from

28. On                         requested      erify and validate the debt.  Which to this day they have failed to respond!

29. Or                 said I needed to contact the court if I had issues.

30. On                         said if I have a contract with         need to address those issues with

31. On                         issued a 2$^{nd}$ request for         validate the debt.

32. On         ADOT issued a suspension.

33. On                                        sent to .        a "NOTICE HEARING REQUEST".

34. On                                        ssued to                 "NOTICE OF INTENT       SUE

35. On the                         went to the                         speak to Hearing Officer             to clear this issue.

36. I entered court room      at around         (that is when the Court clerk/reporter started the clock).

I was the only one in the court room when         asked me to approach the bench.  I let him know I had a document to file into the court record and         assured me he would make sure it

got filed into the record. The document is titled "EXPARTE MOTION TO RECONSIDER FOR NEWLY DISCOVERED EVIDENCE".

said, "Once you responded to the ticket, it gave the court jurisdiction".

"My understanding is you can only hear cases in                    that is your jurisdiction".

"I read your OFFER TO PAY".

'I brought you a copy of the Constitution if you need it".

"I have a copy of the Constitution"        asked about the        and then read it in my EXPARTE and said here it is.        went on to say "since this case was in collections, I can't do anything to help you, you still owe        dollars".

asked        "what "thing" do you require I "pay" in?

"US Dollar, US Currency"

'Do you mean Federal Reserve Notes?"

"US Dollar, **paper** currency"

"Do you have one that I can see so I can bring in the proper thing?"

"Look it up, the court cannot do the research for you".

'I do not know what to pay in, as I do not work"

"When you get a little bit of money, come in and pay it down".

At **"NO"** time did        address the "OFFER TO PAY" or "full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state" or the "Federal COINAGE ACT OF APRIL 2, 1792 being VALID!!!! Or the fact that        is in VIOLATION to the FEDERAL AND STATE CONSTITUTION being the supreme law of the land; and the JUDGES [located] IN EVERY STATE shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

**I DO NOT BELIEVE THE US DOLLAR EXIST TODAY, THEREFORE HOW DO I PAY????? Coinage Act of April 2, 1792.**

I,                    have laid the facts out in this document to the best of my knowledge.

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