State of Arizona

COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-274

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace was biased against her as a self-represented litigant and did not rule in a timely fashion. The complainant also alleged a second justice of the peace had not ruled in a timely fashion and was retaliating against her for her complaint against the first justice of the peace.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 either judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the second judge did not violate the Code in this case. Accordingly, the complaint is dismissed as to the second judge, pursuant to Rules 16(a) and 23(a).

After further review, the commission also found no evidence of ethical misconduct as to the first judge, and concluded that the first judge did not violate the Code in this case. The commission approved sending the first judge an advisory letter reminding him to review files thoroughly prior to the entry of judgment to ensure compliance with Rule 2.5 of the Code (Competence, Diligence, and Cooperation). The complaint is dismissed as to the first judge pursuant to Rules 16(b) and 23(a).

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

Commission members Peter J. Eckerstrom and Art Hinshaw did not participate in the consideration of this matter.

Dated: February 7, 2017

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all
appropriate persons on February 7, 2017.

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

CONFIDENTIAL
State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2016-274

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

I filed a second application and motion for the original default judgment which still stands. Judge _____ did not respond. I've also filed an affidavit supporting default judgment order. According to rule 55 Title VIII a Default judgment order means case is over Plaintiff wins. The ruling of default judgment order stands ruled by Judge _____ an overruling were vacated on _____. Further proceedings will be a waste of the court time. Filed documents with the court. Defendants attorney refuse to send me a certified copy by mail, was given a copy at the court. Continue to not follow court rules and regulations. Judge _____ has ignored filing of this case and has not looked at the default judgment order that is still in place as ordered by Judge _____ Please note that pretrial was dated _____ Plaintiff filed documents on _____ ask for the copies of pretrial the clerk noticed stated that they were not ready but yet a date was placed

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Judge _____ refuse to do his # job by evaluating the case in its entirity (as a whole) and not ignore or keep his eye shut so that the reality is that the Plaintiff is entitled to pursue en- forcement of Default judgement ordered in accordance with proceeding of the particular jurisdiction claim) in damages, all rules must be follow that goes for Attorney as while us pro pre Judge _____ has neglicated to his job by putting his name stamp on a date that's false and untrue, I'm seeking a fair and equal Judge that will due his job not over looking important details of this case. Integrity of Judge _____ is of concern also, he ignores pending matters Violation part A. comment 1 rule 12 comment 1-3 Canon 2 Rule 2.2. Rule 2.11. (B)

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Judge _____ Violated rule 81, rules of the Supreme court, specificly rule 2.1 comment 2 because as a pro per plaintiff in my case he showed a unprofessional attitude toward the promoting of public understanding and confidence in the judge justice system because he allowed the Attorney in my case to hand all document to the plaintiff per to court or in court, Howere, I as a pro per could not violate any rules of court i.e. mailing all had to be filed accourding to the court rules. 2.6 rule the Judge was found to be biasis because I did not have the proper terminology that attorneys use in court. 2.7 rule was violated because the Judge did not rule on my case in a timely fashion but required me to correct my pleading and still denied me although I continued to follow court procedure. The clerk of the court explained that all parties involved are to follow all rules of court, However, the Judge continue to allow Attorney for defendant file mail, hand deliever in court and missed all dead lines. (Rule) 2.12 (c) 1, Rule 2.12 comment

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2. did not conduct timely judgment Rule 2.15
(B) Allowed Attorney to violate rules
of court regarding timeliness file and mailing.
I was required to call the court to make
sure of my timely filing and mailing, however
the court clerks did not have to inform
me of medation that was cancelled. Rule 2.15
(D) Attorney special priveledges
because the judge stated that she did not
have to follow rules of court which violated
rules of professional conduct. As proper
I was told to ignore the that Attorney.
did not follow rules of court I respectfully
ask for an investigation and response to
my allegations as this case is moving on to
trial. Judge _____ discriminated against
me and _____ demean my ability to be
heard. (rights) Thank you.