

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-293

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Judge:

Complainant:

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**ORDER**

The complainant alleged a municipal court judge improperly denied him the right to record the proceedings in his case, confiscated his personal property, engaged in improper demeanor, and “defamed” him in court. The complainant also alleged an associate municipal court judge improperly failed to disqualify herself. Lastly, the complainant alleged another associate municipal court judge improperly ruled on a request to disqualify the first associate municipal court judge.

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 any of the judges’ rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the associate judges did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety as to the two associate municipal court judges, pursuant to Rules 16(a) and 23(a).

After further review, the commission found no evidence of ethical misconduct as to the municipal court judge, and concluded that the judge did not violate the Code in this case. The commission approved sending the judge an advisory letter that he should thoroughly familiarize himself with the requirements of Arizona Supreme Court Rule 122 (Use of recording devices in a courtroom) and ensure his court staff is trained in the requirements of that rule. The complaint is dismissed 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.

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**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2016-293**

**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.

On \_\_\_\_\_ when appearing before Judge \_\_\_\_\_  
initial appearance I asked the clerk if it was ok to Record  
The Court proceedings and was told yes and that the court also  
Recorded them for the Record. when I was before the  
Judge and being reprimanded for my inquiry of Jurisdiction  
Judge \_\_\_\_\_ demanded that I sign only my Name  
with out any mention of signing under duress and  
coercion, under threat of Imprisonment by anyone  
The Judge noticed the tape Recorder in my pocket  
and asked what it was and if it was Recording  
I told Him yes that it was. and He said I  
was in contempt of court that it was clearly posted  
outside the court entrance that Thier was  
Not permitted any Recording Devices in the court.  
He confiscated my Tape Recorder which Not  
only Had the Recordings of the court actions  
That Day But also contained

The Judge Directed His  
Clerk to Take the Recorder and ERASE the tape  
She took The Recording and ERASED  
The TAPE Not Returning the Recorder for  
Days. when I left the Court Room on that Day

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I Asked the Judge if He would Show me the Notice He Claimed was clearly visible in the lobby. He was unable to Show me any such Notice Because NONE EXISTS. There is NO such Notification anywhere in the Court Building that could be Found By Myself The Court Staff or and yet the Judge Continued to Have my personal private property scrutinized and then Destroyed Because it contained information that showed His wrong Doing and Prejudice. Also in the process of trying this case this Judge in Court defamed my character when I attempted to inform the Court of the Belief that I had with regard to the ineffective counsel that my lawyer was responsible for so much so that members of the viewing public mentioned to me after the hearing "

"?" and  
"People  
who do NOT Even know said "yes" to me.

Sat in on a confidential pretrial conference  
 and she told \_\_\_\_\_ and myself at this  
 conference that what we said to her was  
 private and that she would at no other  
 point in this case be able to be involved  
 with any further proceedings, would not  
 ethnically be able to try the case. Because  
 she would not be able to stay non prejudicial  
 having heard information about factual matters  
 of this case and about my defense.  
 after Judge \_\_\_\_\_ recused himself upon  
 my request. He appointed  
 to sit and preside over the case and  
 trial. after speaking with my lawyer  
 and a motion being made as to her  
 conflict and previous statements to myself  
 the law would require her to also recuse  
 herself to maintain the judiciary impartiality.  
 Rather than recusal she opted to have the clerk  
 put on the judges robe and  
 rule that the other lady judge could preside  
 without being bias.

I Am asking that this ~~Committee~~ Commission  
on Judicial Conduct investigate this claim  
This Judge HAS made it a practice to  
Violate The Rights of Citizens in order  
to cover up His Actions. and m's conduct in  
The Court.

Thank you very much  
For all of you  
VALUABLE Consideration