

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-337

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Judge:

Complainant:

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**ORDER**

The complainant alleged a pro tem superior court judge improperly failed to disqualify himself from her criminal case.

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 review, 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(a).

Dated: February 8, 2017

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were distributed to all appropriate persons on February 8, 2017.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2016-337

**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 \_\_\_\_\_ my case, \_\_\_\_\_ vs \_\_\_\_\_ was brought in front of a Grand Jury in \_\_\_\_\_. The case involves my former employer and \_\_\_\_\_. I was mailed a non supervening indictment and recieved it on \_\_\_\_\_. I appeared in \_\_\_\_\_ on \_\_\_\_\_. About a month later I received the Grand Jury Transcript and disclosure papers rom my public defender,

While reading the transcript. I noticed that \_\_\_\_\_ was present at the Grand Jury proceeding. \_\_\_\_\_ is the \_\_\_\_\_ of my former emnlover \_\_\_\_\_. I later discovered that \_\_\_\_\_ was also the \_\_\_\_\_ for that week. I let my Public Defender know about the situation but she told me it did not affect tne case.

I have been researching the laws of Arizona and according to the Arizona Judicial Code of Conduct:

**Rule 2:11 Disqualification**

"A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances"

(2) "The judge knows that the judge, the judge's spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:"

I had a civil lawsuit that \_\_\_\_\_ filed in \_\_\_\_\_ and I was going to settle the matter in court when I was served the papers for my current case. I ended up agreeing to pay him \$ \_\_\_\_\_ for damages

\_\_\_\_\_ is not presiding over my trial but he should have removed himself from the Grand Jury proceeding. \_\_\_\_\_ and \_\_\_\_\_ talk quite often and I believe \_\_\_\_\_ was fully aware of the court case and it being on his calender.

I am bringing this situation to you attention because I need to know if my inquiry is valid.

Thank You for your time,

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