

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 17-018

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Judge:

Complainant:

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**ORDER**

The complainant alleged a justice of the peace was biased against her and did not afford her an opportunity to be heard in an eviction proceeding.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, 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: March 1, 2017

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

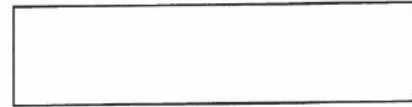
Copies of this order were distributed to all appropriate persons on March 1, 2017.

*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**



**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 for your records.

violated Rule 2.2 Impartiality and Fairness, Rule 2.3 Bias, Prejudice, and Harassment and Rule 2.6 Ensuring the Right to Be Heard of the Arizona Code of Judicial Conduct. The evidence I presented is proof of these violations. He didn't interpret the law, assess the evidence presented, control how hearings and trials unfolded in his courtroom, ignored the motions I filed, the supporting evidence I presented, the violations of the Arizona Residential Landlord and Tenant Act, the Consumer Protection Act and the false statements made by the Plaintiff. On the court proceedings

ended with the plaintiff's attorney stating the plaintiff had sent me notices prior to This was an effort to cover up the violations of A.R.S. 33-1375. On

should've demanded the plaintiff provide those notices to the court but he didn't. I didn't have a voice in his courtroom. I have never heard of ~~the~~ a judge ignoring motions, evidence, violations, false statement and proceeding with a trial. The trial ~~case~~ ended because the plaintiff conceded (they admitted they hadn't sent me notices prior to not because was fair and impartial.

said "You should be happy you won. This has never happened." Well it didn't happen because of his impartiality and fairness or because he ensured my right to be heard. There was no justice in this case. Why would I be happy I won a case I was suppose to win? <sup>implicit/explicit bias and prejudice</sup> put my life, credit and rental history in the hands of those who tried to destroy it. They left the courtroom with their heads held high. I left the courtroom feeling disgusted, humiliated, helpless, embarrassed, frustrated and hurt.



(no subject)

message

To:

The role of the judge is to interpret the law, assess the evidence presented, control how hearings and trials unfold in their courtroom. Their most important role is an impartial decision maker in the pursuit of justice. [redacted] did none of this. His failure to comply violates rules 2.2, 2.3 and 2.6 of the Arizona Code of Judicial Conduct. The plaintiff's attorney, [redacted] controlled the courtroom. [redacted] ignored the motions I filed, the supporting evidence I presented, the violations of the Arizona Residential Landlord and Tenant Act, the Consumer Protection Act and the false statements made by the plaintiff. I did everything I was suppose to do but I experienced the same mistreatment in the courtroom I had received from the plaintiff. He even scolded me for the trial taking longer than he expected. Although, in my opinion there shouldn't have been a trial and it was the plaintiff who wasted the courts time.

On [redacted] the court proceedings ended with the plaintiff's attorney [redacted] stating the plaintiff had sent me notices prior to [redacted] This was an effort to cover up the violation of A.R.S. 33-1375. A landlord must give [redacted] written notice prior to the periodic rental due date if the tenant is a month to month tenant. Or [redacted] should've demanded the plaintiff provide those notices to the court but he didn't. During the trial he ignored false statements. The plaintiff made it seem as though my payment wasn't for the invoice I received for [redacted] rent. [redacted] told the Court, I received an invoice [redacted] for [redacted] rent because a 3rd party company handles their billing. [redacted] doesn't use a 3rd party company for billing. This was an attempt to cover up violation of A.R.S. 33-1371. A landlord may not accept or keep a partial payment and proceed with man eviction action unless a partial payment agreement was signed by the tenant [redacted] also ignored the evidence I presented as proof the plaintiffs violated A.R.S. 33-1381. Retaliatory conduct prohibited. A landlord may not retaliate by increasing rent or decreasing services or by bringing or threatening to bring action for possession.

The plaintiff asked the court for possession, Writ of Restitution, monetary award, and such other and further relief as the Court deems just and appropriate. If they had succeeded in this unlawful eviction with their unfair and deceptive acts. He would've awarded any and all judgements against me. I didn't receive the same consideration. Despite, the fact I gave them [redacted] notice of intent to vacate on [redacted] and I didn't breach my rental agreement. The case ended because the plaintiff conceded (they admitted they hadn't sent me notices prior [redacted] not because [redacted] was fair and impartial. I didn't have a voice in his courtroom. my counterclaim for court proceedings and moving expenses was denied. Although, I was forced to move due to threats, harassment, intimidation, manipulation, negative treatment, retaliation and unfair and deceptive acts. My counterclaim for moving expenses and court proceedings (faxes, copies, certified mail, loss wages, etc.) was denied. I was told by [redacted] I should be happy I won and [redacted] to appeal his decision for monetary damages. I left his courtroom feeling disausted, humiliated, disanpointed, embarrassed, frustrated and hurt. When I went to file an appeal on [redacted] I was told I had [redacted] days and the time had expired. The [redacted] warned me that judges are pro landlord but I believed justice would prevail. I'm asking this committee to restore my confidence and faith in our justice system. Please let there be some accountability for what has happened to me. I filed a motion to reconsider since I was unable to file an appeal. I don't want this to happen to others. Implicit/explicit bias has no place in the courtrooms.

Sincerely,