

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 17-147

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Judge:

Complainant:

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**ORDER**

The complainant alleged a pro tem superior court judge improperly entered an award for attorney fees and affirmed a judgment that had already been satisfied.

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).

Commission member Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: September 19, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer

Executive Director

Copies of this order were distributed to all appropriate persons on September 19, 2017.

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

Comp

2017-147

Dear Judge

We are commencing this correspondence with you and the Commission on Judicial Conduct with regards to Judge in Court.

We want to point out to you a matter in which he has been reckless, careless and ignorant of the facts and improperly filed an order when not asked to do so by either party. He should not become a fully engaged Judge nor a Judge any longer.

we received an order from him that he based on a letter he was sent a copy of, not a pleading of any kind. The purpose of that letter was to inform the court that he was lied to by a very experienced lawyer, that represents with hope that the court would ask more questions in the future.

Judge completely misunderstood the language of the letter which means several things:

He does not read and comprehend well and it is clear that he has no idea what he is doing on cases, even when presented with the facts. It is questionable whether he can follow statutes and properly rule on them.

In paragraph of our letter to the subject (attached) we explained that we did not Judge missed that. In a case,

we were not the so could not be sought against us. In cases there are many other parties that can such as

equitable claim in Any of those parties or does not name and serve those parties before (which can be a matter of strategy sometimes), the lawyer does not earn a fee. Our letter to clearly explained to him we were not even though we believe he knew or any party with legal or but if the Plaintiff chooses

has made the exact same lie several times in other courts, and was our reason to send the [redacted] warning letter to him with a copy to Judge [redacted].

When a [redacted] the Plaintiffs lawyer calls the [redacted] see who before he [redacted]. In this case, [redacted] now claims he did not do that and his [redacted] made an error in naming the parties. [redacted] knows much about this subject, being the party with [redacted] with regards to service of defendants and [redacted] has also been the Plaintiff and Defendant in [redacted] of [redacted] over the last [redacted].

When a lawyer takes an illegal judgment [redacted] it means he lied to the court or to state simply, defrauded the court. Our letter was to warn [redacted] about this and keep the court in the loop and make the court aware that they need to ask more questions. However, Judge [redacted] did not understand one bit of the letter and totally missed the part about being lied to. Does [redacted] court take lightly being lied to by such an experienced lawyer as [redacted]. We would have hoped not, but we were wrong. Judge [redacted] lacking any more knowledge about the situation [redacted] in some wild ruling that wasn't even based on a pleading. It is reckless, and shows his lack of knowledge and caution. He should not be a Judge in your court, or in any court. He is simply too pompous to hold that position.

While your Judge was [redacted] inappropriately (without a Motion, reason or any understanding of the law) [redacted] was sending us a letter with his explanation and had already filed with the court [redacted] earlier a [redacted] Doesn't this Judge read his own docket on a case before he [redacted] ! Or, did he think he would take it into his own hands to re address his remedial position on the matter? In either situation, It shows his brazen lack of procedure in the [redacted] Court and that he is arrogant.

However, now, [redacted] cannot explain this mess to a [redacted] and has an [redacted] against it for [redacted] because of your careless Judge! A property being sold is now stalled and we may suffer irreparable financial damages because of your Judge. Yet, because of the laws of the [redacted] we cannot hold your court or your Judge financially responsible under the law. We are faced with [redacted] to appeal the matter with a lawyer. It is a real mess and we are not going to bear the legal expense of hiring a lawyer to fix it willingly without informing you in hopes that you may get the mess cleaned up. In speaking with other litigants that have appeared before Judge [redacted] we feel our opinion is well supported and he is not fit to be a Judge.

We have enclosed a copy of the [redacted] and circled the relevant areas. We have also enclosed the letter from [redacted] that explains his mistake and his wishes to set aside the judgment.

2017-147

We have \_\_\_\_\_ and never before have we seen such reckless  
misinformed actions as we have from Judge \_\_\_\_\_ : is our strongest opinion that under no  
circumstance should this \_\_\_\_\_ Judge continue to hear cases *in any court*, especially in  
Court.

This letter is not being sent to Judge \_\_\_\_\_ intentionally so that the addressed parties and  
copied parties have the chance to investigate the court files and confirm the above. It also will  
not be published to the internet for \_\_\_\_\_

Sincerely,

Cc: by certified to: