

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-191

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace engaged in improper ex parte communication with the prosecutor and acted without jurisdiction over her. The complainant also alleged a pro tem justice of the peace failed to give her adequate notice of a hearing date and improperly waived her speedy trial time.

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 the judges' rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judges 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: October 4, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on October 4, 2017.

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

REPLY TO

Comp
NOTICE
2017-191
SEP 15 2017

This Reply To Notice is a
Response to your Notice of
certified mail. mailed via

1) There is way too much foolishness,
and smoke and mirrors going on,
all in an attempt to trick me.

2) You, , are ~~make~~ making

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statements that are not supported by any statute, code, Regulation, higher court decisions, nothing at all. This is not your job.

3) I never received a notice of change of judge from Court. I ~~at~~ only received a document from ^{saying he would} remove himself from the case,

4) I have already given notice that I will not be attending any court hearings. You are well aware that there is no jurisdiction over me.

vacated his order

Ruling jurisdiction.

5) A court with no jurisdiction has no authority to command, order, or compel anything from me.

6) Jurisdiction must be proven on the Record by the moving party; it is not something a judge can create on his own. Plaintiff's Response was not sent to me in a timely manner, so

vacated his order

Ruling jurisdiction.

7) You, are supposed to be fair and impartial, and you are neither. You should know the rules that you and the prosecutor must follow, and you have failed to follow such rules and give me adequate notice. I did not receive your notice until which is untimely considering your order to appear on

8) Plaintiff and parties to your fraudulent case have violated ① my God-given rights to Life, Liberty, and the Pursuit of Happiness which are protected by the U.S. Constitution ② my rights under the 4th, 5th, 6th, 8th, 9th, 10th, and 13th Amendments to the U.S. Constitution and ③ my rights under Article 2 of the Arizona State Constitution.

9) I have no written contract with

Plaintiff,

17-191

or

giving up my rights. To be valid, a contract must have full disclosure to both parties.

I demand that Plaintiff,

and CEASE AND DESIST your violations against me. I demand that this fraudulent case be DISMISSED WITH PREJUDICE.

All written correspondence to me must be sent via certified mail with Return Receipt.

I certify that I am personally delivering this Reply to

and mailing it to all other interested parties on the same day.

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This is due to not being given 2017-191
adequate notice by
and

All Unalienable Rights Reserved Without Prejudice
, living women, sui juris

cc: personal file:

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(
.

This document is copyrighted by me.
Copies may only be made with my
express written permission.

NOTICE OF JUDICIAL MISCONDUCT

Comp

JUL 17 2017

2017-191

This NOTICE OF JUDICIAL MISCONDUCT is in reference to the enclosed Order/Ruling To Response To Defendant's Challenge to Personal Jurisdiction of

I received this Order/Ruling To Response To Defendant's Challenge To Personal Jurisdiction on . The envelope containing this document also included a copy of an Order For Continuance to at , with no other documents included.

Page 1

The Order/Ruling To Response To Defendant's Challenge To Personal Jurisdiction orders that Plaintiff made a timely response to defendant's challenge to personal jurisdiction. I have received NO Response from Plaintiff in relation to my challenge. It is up to Plaintiff to PROVE jurisdiction. Because I have received no response from Plaintiff, I have no way to accept or ~~re~~rebut a response from Plaintiff.

Your Order/Ruling To Response To Defendant's Challenge To Personal Jurisdiction is dated one day after

received my document indicating I have received no response (and pointing out that forward her information). This points to ex parte communication and ruling between you and . This is judicial misconduct.

A Judge cannot just ORDER jurisdiction, nor can a Judge deny my challenge. This is judicial misconduct. You, , are acting outside your authority. I am placing YOU,

notice for fraud, treason, extortion, and fraud upon the court, with intent to file a criminal complaint.

You, are violating my God-given Rights of Life, Liberty, and the Pursuit of Happiness, which are protected by the U.S. Constitution. I am making you aware that you are violating my constitutional Rights. I have no written contract with You,

OR

Court giving up my Rights.

I have done Research on lawsuits against public officials in their individual capacity. My Research shows:

- ① Every other executive official (than president), from cabinet officials and governors, legislators, and judges performing administrative functions, to the tens of thousands of public employees exercising state and local authority enjoy only qualified immunity from suit. Qualified immunity protects public officials from personal liability unless their conduct violates clearly established constitutional law. The Supreme Court

modified the defense of qualified immunity to shield public employees performing discretionary government functions "insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." Qualified immunity really turns on two issues (1) whether the action in question violated a constitutional right and (2) whether that action violated clearly established law. It is essential that "in the light of pre-existing law, the unlawfulness must be apparent." Thus, to be "clearly established a right must be sufficiently clear that every reasonable official would have understood that what he is doing violates that right." This determines if a lawsuit can be made against a public official in their individual capacity.

② The Supreme Court noted that under 18 U.S.C. Sec. 242, the criminal counterpart to Section 1983, due process required only that the accused be given fair warning that his conduct was unlawful. Previous cases are sufficient to give the required fair

warning. Because broad statements of principle can clearly establish law, the court of appeals frequently have denied qualified immunity even without a case decided of materially similar facts. This determines if a lawsuit can be made against a public official in their individual ~~capacity~~ capacity.

I have given fair warning, and notified you, Judge, and that your behavior is a violation of my constitutional rights.

I demand that you CEASE and DESIST your violations against me. I demand that you RECUSE yourself from my case.

All written correspondence to me must be sent via certified ~~my~~ mail with Return Receipt.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**