

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-316

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace engaged in improper demeanor, was racially biased against her, and improperly dismissed an order of protection.

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: February 21, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie

Executive Director

Copies of this order were distributed to all appropriate persons on February 21, 2018.

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

2017-316

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

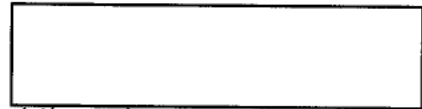
Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional 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 the _____, I entered the _____ seeking a protection order from a threatening ex-boy friend. In hand, I possessed all my sufficient evidence. Evidence included: emails from the defendant stating threatening acts towards myself and two children, emails proving harassment, police reports, IP addresses, witness statements, and police testimony. Moving forward, I filed / submitted the accurate paperwork, and was told by the receptionist, to have a seat in "Courtroom 2". Furthermore, court began, and _____ advise me to approach and state my case. In detail I began with the history and background of the situation. _____ interrupted me stating that "it wasn't relevant". I proceeded to show him documents irrelevant to the case, and he stated "No, I don't want to see any of that!". I pleaded with him on 2 occasions to please look at my evidence, however to no avail, he quickly dismissed my documents. He asked me if I felt threatened, he asked me to read the threatening emails to him aloud. I did so. He granted the order. The entire process took 3-5 minutes. Never looked me in my eyes. I left the _____ w/ an order of protection. I went through the process of getting the defendant served. The defendant went to the _____ to contest the order. I was sent a notice via mail, stating that I were to appear in court to further discuss the matter. I attended, so did the defendant. I was so scared, I asked one of the Clerks to sit in the courtroom with me. She did. I heard my testimony partially, asking me questions, then cutting me off, demanding me to not show him my evidence. →

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What if something happens
and he kills me? Will you
look at evidence then?
Do I have die?

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.

P.S. If I were a
white woman would
this have happened to me?
Would I have been
heard?
The kids
and I live
in fear!

I attempted to show him the police report, which he quickly dis-
missed as "hear say". The threatening emails didn't see the light
of day. No evidence what so ever was viewed, recorded, or taken
into account. The defendant currently has open court cases for
these threats. He was to appear before a judge on _____ He did not
appear. A bench warrant has been issued. This made no difference
to _____ I was told to only speak of relevant issues,
and facts, yet _____ allowed the defendant to
speak freely. They spoke to each ^{other} as if they were good friends
and not the professionalisn needed in this case. He simply asked the
Defendant if he ~~and~~ sent the emails, if he admitted to an officer
on a recorded line that he did send the emails, and why? The
Defendant spoke for aprox. 7 min on how he would
his past life experiences, etc. Things not relevant, Judge
did not object to this. The defendant stated the IP address
the emails were sent were not conclusive w/ his PC. Defendant claims
I sent myself those emails. I urged the judge to look at my
evidence w/ my IP address, dates, times. Again, sternly he demanded
to see nothing. In conclusion, without reviewing evidence,
hearing full testimony, from police reports/recordings dismissed
the case stating "I can't prove he sent the emails, so I have no choice but
to dismiss this case". I cried and pleaded again, tears overwhelm-
ing face, desperation in my eyes for him to just look at the doc-
uments. He became enraged, screamed for me to "Get out!!!"
I am a victim I left feeling like a culprit. Please, what is the point of a
restraining order?