

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-175

Judge:

Complainant:

ORDER

September 4, 2019

The Complainant alleged a superior court judge obstructed justice and improperly dismissed his civil lawsuit.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Commission members Gus Aragón and Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 4, 2019.

19-175

COMPLAINT AGAINST A JUDGE

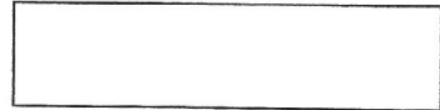
Name

Judge's Name: Hon

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.

A.

On or about [redacted] I received an " [redacted] dated [redacted] that regarded " [redacted] of what [redacted] appeared to be for a document " [redacted] " I dropped off on the [redacted] for this Hon. [redacted] to sign on [redacted] since the defendant(s) hadn't -- answered the pleadings to any documents " [redacted] upon & affidavit- them on [redacted] (See, 3 page of [redacted] and of a included). Also, [redacted] by [redacted] signed notary at the exact location of the place of bus- iness the defendant(s) used according to their business and what the [redacted] was given and later provided, in regards to the injured/ discriminated employee. The Judge claims, the case was dismissed and later stated [redacted] was never " [redacted] when the process server for the [redacted] stated differently, and informed me, where to look for [redacted] in the comment(s) section in which he wrote them. And, to review the court's files. I presented another motion for on or about [redacted] entry of default that had gone " [redacted] for days at best, and called the clerk's office to see why a judgment had no been entered. And, today I was informed the case was dismissed 2 without notice, and no records supports this of the case calendar. See, Exhibits



COMPLAINT AGAINST A JUDGE

Name _____

Judge's Name: Hon

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.

cont. B.

on ^{the} was submitted to the Court Clerk, filed stamp and completed the perfected service without any thing mentioned about a dismissal or after the Court Judge's direction was noted in his Order, dated ... The Court will grant Plaintiff

days leave to properly serve Defendant And, includes under further to serve Ordered until and file proof

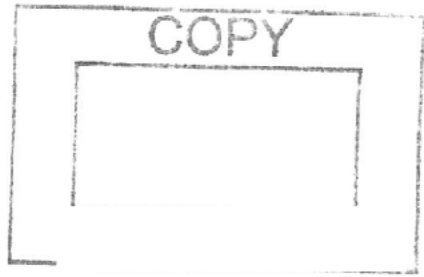
Defendant of service with the court. after, noticing this I've followed all procedures, but this Court has done nothing except " from the start.

1. is over of age and served defendant(s) at both locations. whereas, the process server had NOT. And, the records show, he was served - but I had to do another service after that in which makes no sense. now, the Court states she can not serve a party, since she claimed she's no a process server ???

2. The case is dismissed, when an order came afterwards. " is a []

3. The defendant and, is not the employer ?? And, my causes of actions and Summons and complaints were not contained in Court file? pgs Total

Copy



State of Arizona,

County

1. PROOF OF SERVICE-CIVIL

I, do hereby certify that _____ (owner as shown on _____ reports, statements and documents to be now assuming ownership of _____ who was previously served on _____ at a different address than what has been shown now. In those documents initiated before this service. As, he was served at _____ at the _____ as shown in the previous Affidavit and Return).

A. Amended

I do hereby state that the foregoing statements within this Proof of Service-civil are true to the best of my knowledge and belief, that 1-Summons [Amended] in addition to the previously submitted summons, is included along with the 2-Complaint that was originally filed on _____ along with a [Amended] newer version of both above noted listed forms.

2. DOCUMENTS [_____]

- 3-Court order dated, _____
- 4- _____
- 5- _____ dated _____ with Owner and _____ appearing on there.
- 6-() Letterhead documents of _____ used to convey communications with _____ by email and fax
- 7- _____ [employment application & _____ with _____ writing on _____ email address, _____ pages in total.
- () Print Out(s) 1 old _____ Arizona report of driving history, dated _____ 3 pages. _____ Print out, dated _____ valid
- 8- _____ Letterhead listing complaints _____ of _____ by the plaintiff. Through complaint provided for this, [Case # _____]

Civil Enforcement

Page: 1

AFFIDAVIT AND RETURN

STATE OF ARIZONA

]]]

Court Number:
Process Number

I do hereby certify that I received the within and foregoing Summons & Complaint on _____ and that I served the Defendant, _____ by delivering copies of the aforementioned documents to the person(s) named therein as follows:

Served to:
Service Time/Date:
Served At:

Comments:

I FURTHER CERTIFY THAT I SERVED _____ (DEFENDANT) WITH A CIVIL SUMMONS, A CIVIL COVER SHEET-NEW FILING ONLY, A COMPLAINT, A ATTORNEY DIVISION AND CHARGE OF DISCRIMINATION (7 PAGES) AND A CHOICE CERTIFICATE:

Returned on _____

BY: _____

Subscribed and sworn before me this _____ day of _____

Notice of Completed Service

Date:

Case:

To:

Process Number:

Regarding:

The service for the above mentioned case is completed and considered closed. The following are fees concerning your case.

Fees:

Mileage charge

Preparation Fee

Service fee for each type of document served

Total Fees: _____

Payments:

Deferral Balance Due:

UNLESS YOU HAVE A SCHEDULED PAYMENT PLAN APPROVED BY THE COURT, YOUR PAYMENT IS DUE UPON RECEIPT OF THIS NOTICE

Payments can be made to the _____ by mail in the form of personal check from a local bank, cashier's check, business check or money order (please do not mail cash). Please note your Process number from this form on your check and mail to the address noted above.

You may also pay in person by check, money order or debit card at the _____ using a debit card by phone. If you have any questions please contact the _____

Or you may pay

Thank you for your attention to this matter.

**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.**