

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-214

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Judge:

Complainant:

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**ORDER**

October 8, 2020

The Complainant alleged a municipal court judge improperly granted an extension to file an appellate brief and refuses to answer his questions.

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 Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on October 8, 2020.

So, you folks know, I served on a few cases while in the Never  
anything like this! Do, I need to open a new case against Judge ? My legal advice  
comes from my sister who is an attorney in another state. She told me she has never  
seen anything like this in her life and has been practicing law for over years. I told her  
I had never seen anything like it either. Just unreal!

Thank you very much for your time and attention to this matter.

Sincerely,

Enclosures ✓

MUNICIPAL COURT

Plaintiff Vs. Defendant.	Case Number(s):  PAGES TOTAL	MOTION ORDER OF PROTECTION
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Your Name:

1<sup>st</sup> Phone:

Your Address

2<sup>nd</sup> Phone:

City, Zip:

E-Mail: /

I AM ASKING THE COURT TO:  
ANSWER MY QUESTIONS (PLEASE SEE ATTACHED PAGES)

THE REASON FOR THIS REQUEST IS:  
THE DEFENDANT RECEIVED AN UNFAIR HEARING ON  
HAS ASKED NUMEROUS QUESTIONS  
FROM THE COURT, HOWEVER HAS RECEIVED ZERO  
RESPONSE.

I AM REQUESTING A HEARING IN OPEN COURT ON THIS MATTER.

I AM NOT REQUESTING A HEARING IN OPEN COURT ON THIS MATTER.

I HAVE ATTACHED THE FOLLOWING EXHIBITS FOR THE COURT TO CONSIDER:

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

YOU ARE REQUIRED BY LAW TO SERVE ALL PARTIES IN THIS CASE WITH A COMPLETE COPY OF THIS MOTION. THE COURT MAY NOT CONSIDER YOUR MOTION UNTIL YOU HAVE COMPLETED SERVICE ON ALL PARTIES, AND THEY HAVE HAD TIME TO RESPOND TO YOUR MOTION.

THE DEFENDANT IS NOT ALLOWED TO CONTACT THE  
 I certify that this Motion was:  Mailed  Faxed  Hand-Delivered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

To: PLAINTIFF IN ANY MANNER <sup>BY LAW</sup> THEREFORE, THE  
 \_\_\_\_\_  \_\_\_\_\_

DEFENDANT ASKS THE COURT TO PERFORM THIS PROCEDURE.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

(Continued from page 1)

Plaintiff Case #:

Order of Protection

Vs

Defendant

- 1.) On \_\_\_\_\_ the Defendant requested an appeal on the above-mentioned case number. The Defendant also requested an unredacted copy of said hearing. To date, almost \_\_\_\_\_ later, ( \_\_\_\_\_ days exactly), the Defendant has yet to receive his copy of the unredacted copy of the hearing that took place on \_\_\_\_\_ at \_\_\_\_\_ hours. Will the Defendant **EVER** get a copy of the unredacted version of the hearing? If yes, when? If not, why not?
- 2.) The Defendant submitted his case for an appeal on \_\_\_\_\_ May I ask what took Judge \_\_\_\_\_ so long, almost an \_\_\_\_\_ ( \_\_\_\_\_ days exactly), to rule on this appeal? The Defendant realizes that the court has been acting under the \_\_\_\_\_ virus, however, at the same time, the \_\_\_\_\_ Municipal Court ( \_\_\_\_\_ ) has not had many civil cases to hear, perhaps \_\_\_\_\_ maybe, in this time frame.
- 3.) Does \_\_\_\_\_ have all \_\_\_\_\_ judges? If not, the Defendant requests a judge to hear this appeal by a \_\_\_\_\_ judge. Is that possible? If \_\_\_\_\_ does have all \_\_\_\_\_ judges, is it possible for the Defendant to move this hearing outside of \_\_\_\_\_ ? If so, what procedures are necessary for that to take place, as the Defendant has proof that the Judge \_\_\_\_\_ and the Plaintiff's father, colluded before this hearing took place.
- 4.) Will the Defendant be able to cross examine the Plaintiff during this appeal? As you know, Judge \_\_\_\_\_ **DID NOT** allow the Defendant to cross examine the Plaintiff at **AT ANY TIME** during this hearing. Absolutely a mockery of the Defendant's rights to a fair hearing under the law.
- 5.) Will the judge in this appeal respect the Defendant at all times, instead of what Judge \_\_\_\_\_ did, stating; "You make me sick," twice towards the end of the hearing.
- 6.) Will the judge in this appeal, have the Plaintiff's father sworn in to testify, which **NEVER** should have happened in the original hearing, as the Plaintiff, when asked if she had any other witnesses specifically states; "Ah. No."
- 7.) Will the judge in this appeal ask the Defendant very off color questions, as Judge \_\_\_\_\_ did, when he asked the Defendant in the middle of the hearing if the Defendant: "Has ever taken a picture of the Plaintiff's father penis." **SICK**
- 8.) The Defendant also asked the court in his \_\_\_\_\_ petition to appeal, why **EXACTLY**, did Judge \_\_\_\_\_ state to the Defendant at the very beginning of said hearing, state; "You are already hurting your case," by what the Defendant believed to be an innocent question. Will Judge \_\_\_\_\_ Judge \_\_\_\_\_ or anyone from this court answer these questions soon, along with the unredacted copy of the hearing?

**FILED**

(Continued from page 2)

Will the answer to these questions EVER get answered? If not, why not. If yes, when?

- 9.) The Plaintiff alleges that the Defendant sent a topless picture of the Plaintiff to her father, however Judge \_\_\_\_\_ would not allow the Defendant to enter evidence to the contrary. Will the Defendant, in this appeal, be allowed to enter evidence to the court, prior to the appeal date and/or at the appeal itself by discovery?
- 10.) The Defendant would like to retrieve his firearm, currently being held, by the Police department ( \_\_\_\_\_ ) as the defendant stated in his \_\_\_\_\_ appeal that the Plaintiff had full knowledge of the Plaintiff's firearm in his car \_\_\_\_\_ before the Plaintiff moved in with the Defendant. The Plaintiff had \_\_\_\_\_ use of the Defendant's car and drove it by herself or with friends numerous times, with the firearm in the car. The Defendant had given his permission to the Plaintiff to use his car anytime the Plaintiff needed it. The Plaintiff, took full advantage of this offer, and was fully aware that there was a firearm in the car the entire time she drove the Defendant's car. The truth is that the Plaintiff was **NEVER** afraid of the Defendant's firearm and/or having a firearm in his car. Therefore, when will the Defendant be able to retrieve his pistol back from \_\_\_\_\_
- 11.) Lastly, how long will it take to get the answers to these questions/this motion, **AND** get my copy of the unredacted transcript, another \_\_\_\_\_ days? Longer?

FILED

MUNICIPAL COURT

Signature \_\_\_\_\_

\_Date:\_\_\_\_\_

CASE #

IN THE MUNICIPAL COURT

Please note the court calendar can be viewed at the web address above

Plaintiff	Case Number(s):	<b>Ruling re:</b> <b><u>Defense Motion</u></b>
Vs.		<input checked="" type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Vicious Animal/Animal Seizure
Defendant.		

THE COURT has reviewed the Motion filed by:

The Plaintiff

The Defendant,

On behalf of \_\_\_\_\_ by \_\_\_\_\_

IT IS ORDERED:

Granting the motion:

Setting this matter within \_\_\_\_\_ days for \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_, in Courtroom # \_\_\_\_\_ before Judge \_\_\_\_\_

Time is waived, per applicable rule \_\_\_\_\_

Release conditions are affirmed pending the above proceeding

Denying the motion on the following grounds: \_\_\_\_\_

Other: Defendant raises several issues in his recent motion (dated \_\_\_\_\_, Defendant wants to know why this court has not ruled on the issues and requests made in his Appeal Memorandum (entitled "Order of Protection Appeal") filed on \_\_\_\_\_ An appeal memorandum is reviewed and ruled on by the appellate court--in this case the \_\_\_\_\_ County Superior Court. The trial court does not review or rule on the appeal memorandum. The case will be transferred to superior court once all pleadings have been received and permission of the superior court is granted. The appeal process can take \_\_\_\_\_ Plaintiff's time for response was extended because Plaintiff had not been provided a copy of Defendant's memorandum. Once the error was discovered, a copy was sent and Plaintiff's \_\_\_\_\_ day time limit was restarted. As for Defendant's request for an unredacted copy of the record of the hearing, the court has confirmed that the copy provided to Defendant was not redacted in any way. Any other conversation (which may or may not have occurred) was never part of the record. The court further advises Defendant that an appeal is not a new hearing. No new witnesses or evidence are permitted. On appeal the appellate court reviews the record of the hearing and the memoranda filed by the parties and rules on whether the trial judge made any errors that would require granting the appeal and possibly a new hearing. Defendant's remaining questions will not be addressed as they are either inappropriate or they are matters for the appellate court to decide.

Issued on

Judge

**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.**