

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaints 23-510, 24-004 and 24-032

Judge: A. Douglas LaSota

Complainants: Robert J. McWhirter (Case No. 23-510)
Commission on Judicial Conduct (Case No. 24-004)
Brittany L. Huttner (Case No. 24-032)

ORDER

A consolidated stipulation accompanying this order resolves these three matters.

Based on Judge A. Douglas LaSota's resignation from office and his agreement with the Commission that he will never again seek or accept a position involving service as a judicial officer in Arizona, the Commission takes no further action on these matters and closes its files. Should Judge LaSota fail to abide by his agreement to never again seek or assume a judicial office in Arizona, the Commission will file formal charges against him and/or seek injunctive relief to enforce the terms of the agreement.

Accordingly, the Commission's files in these matters are closed pursuant to Rule 23. Pursuant to the accompanying stipulation, this order, including identifying information, is considered public information.

Commission members Roger D. Barton, Joseph C. Kreamer, and Delia R. Neal did not participate in the consideration of this matter.

Dated: February 4, 2025

FOR THE COMMISSION

/s/ Christopher P. Staring
Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on February 4, 2025.

**STATE OF ARIZONA
COMMISSION ON JUDICIAL CONDUCT**

Inquiries concerning)	
)	Case Nos. 23-510, 24-004, 24-032
Judge A. Douglas LaSota)	
)	STIPULATED RESOLUTION
Apache Junction Municipal Court)	
)	
)	
Respondent)	

Respondent Judge A. Douglas LaSota, and Brian Bohan, Disciplinary Counsel for the Commission on Judicial Conduct (“Commission”), hereby stipulate as follows:

JURISDICTION

1. The Commission has jurisdiction over these matters pursuant to Article 6.1 of the Arizona Constitution.
2. Respondent has had a lengthy history as a judicial officer, including serving as a judge pro tem for limited jurisdiction courts in Maricopa County and serving as the Cottonwood city magistrate for approximately ten years. His most recent judicial appointment began when he was appointed as the full-time judge of the Apache Junction Municipal Court in July 2021, and where he served until his resignation on October 1, 2024.
3. As a judge of the municipal court when the alleged misconduct occurred, Respondent was and is subject to the Code of Judicial Conduct (“Code”) as set forth at Arizona Supreme Court Rule 81.

BACKGROUND

Case No. 23-510

4. On December 18, 2023, the Commission received a complaint which alleged Respondent engaged in improper demeanor, improperly found the prosecutor in contempt, improperly filed a bar complaint against the prosecutor, and did not afford the prosecutor an opportunity to be heard.

5. On December 19, 2023, the Commission opened an investigation into the circumstances of the complaint pursuant to its authority under Rule 20. Respondent was given notice of the allegations and given an opportunity to respond.

6. Between January 11, 2024 and May 23, 2024, Complainant filed five supplements to their original complaint.

7. On April 15, 2024, in his written response to the Commission, Respondent denied the allegations, but admitted that he was unaware that one of the rules prevented his inquiry of the defendant as to his notice of change of judge and disqualified him from proceeding after the filing of a notice for change of judge.

8. On May 28, 2024, Respondent filed a supplement in response to Complainant's fourth supplement to the complaint, providing the ruling in the special action in the civil matter based upon the same events as the complaint.

Case No. 24-004

9. On January 2, 2024, the Commission received a complaint which alleged Respondent had inappropriate conversations with his staff, proposed the doctoring of timecards, and had been rude toward staff.

10. On January 3, 2024, the Commission opened an investigation into the circumstances of the complainant pursuant to Rule 20. Respondent was given notice of the allegations and an opportunity to respond.

11. On April 12, 2024, Respondent provided a written response to the Commission, where he denied the allegations.

Case No. 24-032

12. On January 29, 2024, the Commission received a complaint which alleged Respondent engaged in a pattern of rejecting certain plea agreements and deciding records requests without notice to the parties in the case.

13. On January 30, 2024, the Commission opened an investigation into the circumstances pursuant to Rule 20. Respondent was given notice of the allegations and an opportunity to respond.

14. On January 30, 2024, the Complainant filed a supplement to the complaint.

15. Respondent agreed to forego filing a response in lieu of accepting the terms of this agreement.

INVESTIGATIVE PANEL AND RESIGNATION

16. On October 24, 2024, an investigative panel was convened and authorized formal charges against Judge LaSota in Case Nos. 22-510 and 24-004. The investigative panel withheld any action on Case No. 24-032 until there was an opportunity to review the response requested in that case.

17. On October 1, 2024, Respondent resigned from the Apache Junction Municipal Court.

MUTUAL CONSIDERATION

18. Respondent agrees not to seek or accept a judicial appointment of any type, not to run for an elective judicial office, or serve in any judicial capacity¹ in the State of Arizona at any time after the effective date of his resignation.

19. Respondent makes no admissions to a violation of the Code or the Arizona Constitution.

20. The Commission makes no findings of fact or conclusions of law in these matters.

21. The parties agree that resolving these matters by stipulation is in their mutual best interest and in the best interest of the public and the judicial system.

AGREED UPON DISPOSITION

22. Upon execution of this agreement, the Commission shall close Case Nos. 23-510, 24-004 and 24-032 and take no further action. These cases will not be re-opened unless this agreement is breached by Respondent as further outlined in paragraph 14.

OTHER TERMS AND CONDITIONS

23. This agreement resolves all issues raised in Case Nos. 23-510, 24-004 and 24-032. This agreement may be used as evidence in later proceedings in accordance with the Commission's Rules.

¹ The parties agree that not serving in any judicial capacity encompasses the definition of "Judge" in the Code of Judicial Conduct, which states: "Judge" means any person who is authorized to perform judicial functions within the Arizona judiciary, including a justice or judge of a court of record, a justice of the peace, magistrate, court commissioner, special master, hearing officer, referee or pro tempore judge.

24. In the event Respondent fails to comply with the terms and conditions of this agreement by seeking appointment or election to a judicial office or serving as a judge in Arizona, the Commission may re-open Case Nos. 23-510, 24-004 and 24-032 by giving Respondent written notice of its intention to do. A formal Statement of Charges, having been previously authorized, will be filed pursuant to the Commission's Rules. Respondent waives any and all claims concerning delay or other irregularities in the Commission so doing.

25. In the event Respondent fails to comply with the terms and conditions of this agreement by seeking appointment or election to a judicial office or serving as a judge in Arizona, the Commission may also seek injunctive relief enjoining Respondent from engaging in conduct in breach of the terms and conditions of this agreement.

26. Respondent acknowledges this stipulated resolution does not deal with or resolve complaints raising allegations not already a part of an open Commission case or investigation as of the date this stipulation is signed by Respondent.

27. Both parties agree that the Stipulated Resolution and Final Disposition Order shall be public documents.

28. Both parties will pay their own costs and attorney's fees, if any, associated with this matter.

29. Respondent understands the terms and conditions of this agreement and fully agrees to and will abide by them.

30. This agreement constitutes the complete understanding between the parties.

Agreed to this 23rd day of December 2024.

Hon. A. Douglas LaSota
Respondent

J. Douglas McVey
Respondent's attorney in Case Nos. 23-510 and 24-032

Theresa Cole Rassas
Respondent's attorney in Case No. 24-004

Brian Bohan, Disciplinary Counsel
Commission on Judicial Conduct

Agreed to this 20th day of December 2024.

Hon. A. Douglas LaSota
Respondent

J. Douglas McVey
Respondent's attorney in Case Nos. 23-510 and 24-032

Theresa Cole Rassas
Respondent's attorney in Case No. 24-004

Brian Bohan, Disciplinary Counsel
Commission on Judicial Conduct

Agreed to this ^{for} 20 day of December 2024.



Hon. A Douglas LaSota
Respondent



J. Douglas McVey
Respondent's attorney in Case Nos. 23-510 and 24-032

Theresa Cole Rassas
Respondent's attorney in Case No. 24-004

Brian Bohan, Disciplinary Counsel
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