

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-069

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Judge:

Complainant:

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**ORDER**

October 8, 2024

The Complainant alleged improper legal rulings by a justice of the peace hearing a civil case.

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).

Commission members Denise K. Aguilar, Barbara Brown, and Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 8, 2024.

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**From:****Sent:****To:** Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>**Subject:** Re: Judge - Complaint

Caution! This message was sent from outside your organization.

## Details:

First, the basis of this claim was initiated due to service that was provided at my residence for a very mild case of water damage. I specifically asked for dryers only because essentially the home was still under warranty and it was ultimately the builders' responsibility to cure the issue.

As a matter of mitigating the damages because I couldn't get the builders' plumber at that time of the evening, I contacted I requested to have their dryers to reduce opportunity for prolonged water exposure.

Prior to any agreement being signed, brought the dryers and when I wasn't in the area(s) they began to remove (and damage) fixed portions of my home (I.E. baseboards, doors, beams). I did not request nor give them permission to demolish anything and even if they had permission to remove boards (which they did not) they also damaged doors and other areas that had nothing to do with drying the home. During the hearing, they also agreed that no contract was executed when these services took place at their own doing. Again, my request was limited to the drying because the home was being sold.

Once I received the invoice, I was confronted with the real issue of damage being done to my home and an outstanding bill, partially for service that I did not request. I asked them to reduce the bill for these damages but they only believed was the value of the damages

Their reps continued to press me to file an insurance claim and lead me through a verbal discussion about how matters would be handled going forward. Part of that process, was the orchestration of a third-party vendor who provides the rebuild on anything they tear down. This process is nothing new to them as the filing of an insurance claim is their incentive to tear out areas (and possibly create unnecessary damage) to inflate the bill.

filed a lawsuit and I counterclaimed believing I would receive due process of the law. I did not.

The first conflict occurred when I received the court date and it claimed (in writing) that I could appear by phone. When I called the court several days in advance to confirm, I was assured that it was fine to appear by phone and a representative by the name of emailed the instructions on how to enter the hearing telephonically.

When I called at the date and time of hearing, I was told by a court representative that I needed to be in person. This was the first instance of erroneous information being provided to me.

Moving forward, Judge [redacted] asked the other party if they were in agreement with allowing me to be present by phone and their attorney stated " [redacted] During the hearing (as provided on the hearing transcript), Judge [redacted] can be heard saying:

1. " [redacted] !" as a rebuttal to most of the statements I made.
2. Judge [redacted] was unprepared for the case. Didn't have the evidence ready. Did not review all of the evidence.
3. Refused to allow me to reference evidence the other party admitted via e-mail -- the same method I used to send mine over.
4. Pretended as if she was going to review everything but had already made her decision during the hearing.
5. Plaintiff's admitted to not having an agreement in place/contract when the services were rendered and the damage done but she overlooked this.
6. Judge. [redacted] has been the judge of record for the Plaintiff (and attorney) on other cases and seemed to be on auto-pilot with her decision-making.

Finally, I did not hear back from anyone regarding the determination from the hearing. When I checked on the website, I was shocked the decision had been made the same day but no correspondence had been mailed to me. When I did a little more research, I could see that it was mailed to the wrong address -- an address that I did not provide to the courts. In so doing, this cut into my time to appeal, perhaps seek legal counsel and/or seek other options.

In closing, it is a travesty to have hard-working citizens not receive the proper due process of law. If the Judge is going to side with her peers, friends or familiar faces, she is forgetting the reasons why she took an oath and perhaps the public needs to know. If I would've known Judge [redacted] was going to act with bias, I could've made other decisions outside of filing a counterclaim to resolve these issues.

Please listen to the transcript. Judge [redacted] is greenlighting everything the attorney is sending over which mimics behavior of bias and prejudice preference

I look forward to hearing from you,