

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-190

Judge:

Complainant:

ORDER

October 8, 2024

The Complainant alleged he had information that a justice of the peace was improperly hearing cases not within the court's jurisdiction.

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.

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2024-190

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.

I received a letter alleging that JP _____ was involved in unethical and potentially criminal behavior. I am attached a copy of the letter. My response to the complainant was that this was better handled by the Commission on Judicial Conduct. He asked that I forward his letter, and I am attaching a second letter he wrote. If, in your estimation, a criminal investigation needs to be convened please let me know.

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Re: Corruption, bias and possibly criminal activity in Court.

Justice

I am a retired attorney, bar number , who practiced law in County for over years. I recite this because I hope you will know that what I relate in this correspondence is done with the understanding that it is of a most serious nature, and is done only after I have carefully investigated, with skepticism at every turn that what I have found could not really be true, but appears to be. A preponderance of evidence compels me to suspect the actions of , acting in her official capacity as Justice of the Peace, is corrupt, bias and in some of her actions possibly criminal. She has gone to great lengths to assist a person, who claims to be the real party in interest (although not the plaintiff) in /irtually identical lawsuits filed in her court during and A listing of the lawsuits filed in is attached as exhibit A.

In one case, (which I have focused on) captioned " cause number (complaint attached as exhibit B) she has announced, in writing, her disregard of Arizona law in favor of her own law applied in her court. Attached are two minute entries, (exhibits C and D) in which denied a defendant relief on the subject of venue and statute of limitations, which are only the tip of the iceberg.

In an undated ruling, addressing a request for clarification filed , clearly, in defiance of A. R.S. 20-202, copy attached, (exhibit E) stated: "

..." (exhibit C) This followed two previous orders where denied motions to dismiss, timely filed, which included a copy of A. R. S. 20-202 saying simply, " Although appears not to recognize A. R. S. 20-202, there is an affidavit on file in which swears he had not lived in that precinct for at least years and there has never been a suggestion that any performance of any contract was to be done in the Precinct.

No exceptions found in A.R.S.20-202 could possibly apply to

To respond to the suggestion that her court lacked jurisdiction over a defendant not residing in her precinct, she writes: “

” which applies only to

Court’s of record. Exhibit C.

The purported transfer of this case to another precinct was rejected by the other Justice Court and remains in . Note, that acknowledges defendant does not reside in her precinct. Exhibit C.

Also, in that same minute entry (exhibit C) is found a most curious ruling on a statute of limitations issue. states: “

” When it was pointed out that her statement was patently ridiculous (since all debts must be ‘outside’ the statute of limitations, since first comes the debt, then the default, then the statute begins to apply) she modified her ruling by creating an event which never happened, was never claimed to have happened by plaintiff and is disputed by plaintiff in an answer to an interrogatory (exhibit F) wherein it was stated no payments were ever made by defendant). The attachments to plaintiff’s complaint also confirm no such payment was ever made. (See items 7, 8 and 9) This invention of a payment by is memorialized in her ruling of (attached hereto, exhibit D) in which she says: “

“

” This conveniently makes the issuance of the summons seven days before the six-year statute runs, on a case filed seven years and one month after the default acknowledged by Plaintiff occurred. has refused to disclose the insurance company claimed to have made the payment, the amount of the payment, who supposedly received the payment, the means by which the payment was made and to what or whom the payment was credited, notwithstanding a request for that information filed by defendant on or about , (Exhibit G). has not responded. The claimed information she relied upon to deny the last motion based on statute of limitations is critical to the defendant, for among other matters, to learn how much was paid, if this payment ever existed. Finally, had read the motion filed by defendant, she might have learned that a payment does not

toll, effect or otherwise modify the application of the statute. *See, Cheatham v. Sahuaro Collection Service, Inc.* 118 Ariz. 452, 453, 577 P.2d 738, 739 (1978). (Exhibit H)

Other rulings in that same order speak further to the appearance of corruption in Justice Court. There is no written document between plaintiff and defendant, but has decided the Agreement, is a contract between plaintiff and defendant. If anything it's an agreement between defendant and an whose only members (including the designated managing member) are two both listed as forfeited, by the and neither of which are plaintiffs in the suit nor assigned any claim it might have to plaintiff or anyone else.

Early in this lawsuit, the question of status of the signer of the complaint, who under oath, claimed to be the plaintiff was raised, and for some unknown reason, thought defendant had raised an issue about plaintiff appearing in her court without an attorney. The caption listed a business name, (not an entity capable of suing) so thought she could create an for by simply adding LLC to the trade name in the caption. Note in none of the pleadings filed by plaintiff is there ever a claim that it was an LLC. She thought this solved whatever problem she had because, in her mind, the LLC did not need an attorney to appear in Justice Court, which is of course, true. The point is, believed she could obviate any issue about or appearing as an attorney for Plaintiff by simply inventing an LLC using the trade name in the caption. Please read her ruling, exhibit C, last two lines with this in mind.

has granted default judgments to a person or entity, not a party to any lawsuit, who has never asserted any claim. See attached list (exhibit I). All these defendants will likely be subject to further Court orders confirming the judgments which will allow liens and collections to occur. Exhibit I also shows the entities which were claimed to owe or or money, although no assignment was ever made to anyone. Neither nor are licensed in Arizona as a collection agency. (Exhibit J) See, A. R. S. 32-1055.

**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.**