

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-143

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Complainant: No. 1394810707A

Judge: No. 1394810707B

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**ORDER**

The complainant alleged that a justice of the peace failed to disclose a conflict of interest or disqualify himself and did not give the proceeding his full attention due to a later commitment. The commission reviewed the allegations and the recording of the hearing and found no evidence of ethical misconduct on the part of the judge. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 8, 2010.

FOR THE COMMISSION

/s/ Keith Stott

\_\_\_\_\_  
Executive Director

Copies of this order were mailed  
to the complainant and the judge  
on September 8, 2010.

*This order may not be used as a basis for disqualification of a judge.*

May 29, 2010

2010-143

State Bar of Arizona  
Attorney/Consumer Assistance Program  
4201 N. 24<sup>th</sup> St., Suite 200  
Phoenix, Az 85016

JUN 01 2010

To Whom It May Concern:

We are residents of a small town, Bullhead City, Az. On May 4, 2010, we were involved in a small claims hearing with Judge \_\_\_\_\_ presiding. The plaintiff was \_\_\_\_\_ owner and employee, of \_\_\_\_\_ Inc. dba \_\_\_\_\_ and we were the defendants with case #CV-2009.

The dispute involved a 1998 Saturn which was damaged in an auto accident of August, 2009. To date, the vehicle in question has not been fully repaired.

At the start of the proceedings, Judge \_\_\_\_\_ stated he wanted to "hurry this up" due to expecting an adjustor to look at his vehicle for an estimate. About a third way into the proceedings, he stated "I've sat on this bench before with you and you were found guilty and you lost the case". At the close of the proceedings, as Judge \_\_\_\_\_ was exiting the court room, he stated "my judgment was not biased due to the vehicle's estimate".

We didn't feel Judge \_\_\_\_\_ really listened to our defense as his mind was focused on finishing the hearing in order to obtain the estimate.

Approximately, 1 week after the hearing, we were informed Judge \_\_\_\_\_ is a very close relative (brother in law) of \_\_\_\_\_ and \_\_\_\_\_

We realize there probably is not an appeal available for small claims court however and we could have lost the case if an another judge had sat on the bench. However, we feel it was very unethical and unprofessional for Judge \_\_\_\_\_ to sit on the bench due to his close relationship with the plaintiff. Our concern is there will be cases in the future which may be compromised by the close relationship between Judge \_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_. Also, there have been cases in the past which involved Judge \_\_\_\_\_

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MAY 24 2010

STATE BAR OF ARIZONA  
LAWYER RECEPTION

It makes us wonder if his judgment was biased and other persons did not receive an a fair hearing.

We were raised to believe in the justice system and sometimes that justice system doesn't seem fair. But, how fair is it for the judge presiding to be a close relative of either the plaintiff or the defendant???? Can a true judgment be made under those circumstances????

We would appreciate someone looking into this matter.

Thank you,