

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-339

Complainant: No. 1407910704A

Judge: No. 1407910704B

ORDER

The complainant alleged that a justice of the peace improperly granted an injunction to prohibit harassment against her husband because the judge knew the opposing party and refused to listen to her husband's evidence. After analyzing the allegations, reading the judge's response, and listening to the recording of the hearing, the commission found no ethical misconduct on the part of the judge. The judge acted within his authority in deciding what evidence to consider and in granting the injunction. The commission is not a court and cannot change judicial rulings. Accordingly, the complaint is dismissed pursuant to Rule(a) and 23.

Dated: April 7, 2011.

FOR THE COMMISSION

/s/ Keith Stott

E. Keith Stott, Jr.
Executive Director

Copies of this order were mailed to the complainant and the judge on April 7, 2011.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2010-339****COMPLAINT AGAINST A JUDGE****Your name:****Judge's name:****Date:** 12/17/10

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

While waiting in The Justice 4 (Willcox) courtroom-I heard Judge say to the opposing party: "Well Jerry, are you ready?" He was speaking to Jerry (wife) our neighbors. We were requesting an ~~injunction~~ Injunction Against Harassment for 2 incidents with Jerry. This was case# J-204-CV- Douglas George Velasquez vs Jerry. Hearing date was 09/30/10. At that time I suspected and have since confirmed that the Judge and Jerry are friends. At that hearing Judge denied my husband's request, but without our receiving any paperwork, the judge granted to Jerry an Injunction Against Harassment against my husband. Case# J-204-CV- Jerry vs. This was granted, even though only (1) one incident was listed. The judge was wrong ~~on~~ in 2 ways. 1. He showed partiality to The. 2. The law says an Injunction request must have a series of at least 2 occurrences of harassment. His partiality also was evident when he did not attempt to listen to our evidence - a 911 call recorded. Mrs. was speaking to the dispatcher and I requested a copy from The

(Attach additional sheets as needed)

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county - just prior to it being unavailable - is
destroyed.

On 11/22/10 at Willcox Justice 4, I had
requested a hearing for case # J-204-CV

vs

during which

The judge ruled that the Injunction remains
in force. Judge gaveled + left The courtroom,
his clerk, Kerry Early told + her husband
to leave. The clerk didn't wait for them to comply,
but left. I was alone in the court room with
both. They were angry. They began harassing
me - Jerry threatened me with a lawsuit - in a
very aggressive manner. It was a verbal assault.
They finally left, then Kerry Early came back into
the courtroom with paperwork for me. I told her
what had happened. Later that same day, I faxed
a letter to Judge telling him what happened.
This was the second time Jerry had acted
in a threatening way toward me. On the
following Monday, Nov 29, I requested and
appeared before Judge Skiles in Bowie
Justice Court. I requested an Injunction against
Jerry + explained both instances to the judge.
Judge Skiles felt that I was judge shopping and
denied the request, but suggested I go back to

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FOR OFFICE USE ONLY**2010-229****COMPLAINT AGAINST A JUDGE****Your name:****Judge's name:****Date:** 12/17/10

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Judge _____ court. Judge Skiles also told me that all courtrooms have security cameras running 24/7 and the instance could possibly be viewed by security in Bisbee or requested by Judge _____. I requested a hearing and it was scheduled by Judge _____ clerk for the following Monday ~~Dec~~ Dec 6. I also asked the clerk, Kerry Early, about the security cameras. She said they only go back 3 days and it was too late for the 22nd, just went back to the 26th. She also said she sent me a letter, regarding the incident, on Nov 24th. It was waiting in my PO Box when I checked. The letter just bemoaned their lack of a bailiff. It did not mention the security cameras.

On Monday, Dec 6, I was advised that the judge denied a hearing (with Jerry _____) and I would be meeting with Judge _____ ex parte. At the hearing Judge _____ suggested I was not happy with him and therefore would have me appear before a judge in another court. I requested it not be Judge Knoblock. I appeared before Judge Morales. On Friday, Dec 3, I received a call from Mike with the Court Security Dept in Bisbee, who told me no one had contacted him regarding security tapes in Justice 4 until Nov 29.

(Attach additional sheets as needed)

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From the very beginnings, Judge has shown
partiality to the and veiled contempt for
my husband. He even asked my husband when
he testified at The hearing on Sept 30, sarcastically,
"So, what you're telling me, is that you're the
innocent victim in this?" It was obvious what the
ruling would be. This was prior to The speaking.
Our proof was never heard by a judge who's
job (for which the taxpayers insist) is to weigh
all The evidence. He ruled for friendship, not
justice. He has also ruled contrary to law,
breaking Canon 1 + 2.

His, Judge actions have forced me to file
appeals on J-204-cv- § J-204-cv-
I am also ^{incl} the letter I sent to Judge
The letter sent to me by his clerk, Kerry Early,
also included.

I am also including my fax confirmation showing
it was faxed on Nov 22, not 24th as noted in
letter from The court.

(Attach additional sheets as needed)