

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-151

Complainant: No. 1420410795A

Judge: No. 1420410795B

ORDER

The complainant alleged that a justice court hearing officer mishandled his small claims case, and a justice of the peace improperly failed to vacate the judgment. After reviewing the complaint and listening to the recording of the hearing, the commission found no evidence of ethical misconduct on the part of the hearing officer. There is no appeal available in small claims cases; therefore, the justice of the peace did not act unethically in denying the request to vacate judgment. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: September 14, 2011.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on September 14, 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

2011-151

COMPLAINT AGAINST A JUDGE

Your name

Judge's name

Date: June 08, 2011

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.

Thank You for your help & for sending me the forms & procedure.

On April 14, 2011, in Justice Courts (Pima County Small Claims) of TSN, AZ, before Mr. (and also later with Ms.) the following occurred in the case filed by Ms. Jamie Norush against me concerning her dispute about rental security deposit refunds (of about \$370.00 but by error she wrote \$600.00)

Mr. was confused, befuddled, annoyed, etc., and did not have a firm or good grasp of the case and acted strangely, unprofessionally & frustrated, ruling hastily rather than taking the matter under advisement in view of his behavior and Plaintiff's request.

Defendant asked to not allow Plaintiff's emotional outbursts against (it's not the first time she's attacked her landlord) but Mr. did not stop this.

Mr. was confused & did not understand that Plaintiff's evidence was unreliable, tainted, fabricated & falsified, thereby needing to give little or no credence to Plaintiff and/or dismissing the case. He was puzzled by the evidence which was unworthy & of the poorest quality while yet still showing favoritism to Ms. Norush.

Mr. lacked objectivity & impartiality, bringing disgrace & lack of integrity upon the Court. The best example is Ms. Norush's change of pleadings with her motion to the Court to amend her Complaint, seeking only about half the original amount she wanted (\$600.00 to \$370.00). She did this verbally & in her documents. Mr. could not be bothered & this impartiality carried over to other issues before him in this case, which is one of a small monetary disagreement, not one for the Court to display animus, outrage & bias.

Defendant's motion to vacate judgment was timely filed & Plaintiff did not respond, thereby defaulting. Ms. finally responded briefly & without addressing issues raised & dismissing the matter as 'too factual' & an 'appeal', when in actuality she has the power & authority (perhaps duty) to look more closely at this case to allow for an outcome more favorable to both parties rather than the fissure, evil & malice she endorsed with her dismissal & her support of Mr.

The above are but a summary of what occurred in this matter but more examples & information are available.

I hope I have provided sufficient information for this complaint & for you to look into the matter in order to prevent this from happening to other people. Please feel free to contact me with your queries and thank you for your help. God bless us all. Sincerely,

(Attach additional sheets as needed)