

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-138

Complainant: No. 1442810655A

Judge: No. 1442810655B

ORDER

The complainant alleged that a justice court hearing officer violated his rights and improperly interrupted him during his hearing.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judicial officer engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant and the recording of the hearing, the commission found no evidence of ethical misconduct and concluded that the judicial officer did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: August 21, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on August 21, 2012.

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

2012-138NAME :JUDGE :DEFENDENT:

Because of
have been discriminated against by
small claims hearing on 04/10/2012, I feel
continues to discriminate against me.

behavior during my small claims hearing on 04/10/2012, I feel I
Because of lack of process after my
has violated my "right to due process" and

During the hearing when I tried to explain to why I could not follow proper procedure when
filing court documents due to lost, stolen mail, the investigation conducted by the post office, my concern
of possible bullying by the owners of and the defendant's,
"interrupted me" and told me it was not important. I felt violated, so I did not continue.

During the hearing when I tried to explain to that is not a government
entity that can withhold wages without permission, "interrupted me", made a joke about the
I.R.S. and how he had to pay taxes. I did not find the joke funny, I felt violated, so I did not continue.

During the hearing my wife "interrupted" the defendant's while they were speaking.
stopped the hearing, told and myself not to "interrupt" during the hearing again.

During the hearing when I tried to explain and show photo evidence displayed on my phone of safety
training issues, "interrupted me," asked if he could say something,
said that he could, came to where I was standing, took my phone from me and began
contradicting me. said nothing. Not only did I feel threatened, I also felt violated. When I
tried to continue, behaved as though he was not interested in what I had to say, so I did not
continue.

During the hearing when asked me if I felt I had a fair hearing, I told him "no."

facial expression changed drastically. I felt very threatened and afraid to tell I felt that I was the only one in the hearing without any constitutional rights. To do so would jeopardize my case. When asked me a second time if I felt I had a fair hearing, I lied and told him "yes."

At the close of the hearing stated that he had 10 days to make a decision, a copy of that decision will be sent to each of us in the mail and that he had a lot of paperwork from both the defendant and plaintiff to go over. Yet on 04/10/2012 made his decision, mailed a copy to the owners of and made a copy of decision, mailed it to me, which I received on 04/12/2012. This concerned me very much because I felt gave another opportunity to bully me which made me feel threatened. It also made me concerned of why felt that I was not even worth a 40 cent stamp, an envelope, a copy of his decision mailed directly to my home address by Consolidated Justice Courts. Once again I felt that I was the only one in the hearing without constitutional rights. I still have not received a copy of decision in the mail, directly from Consolidated Justice Courts, just like the owners of and have.

If would of treated me as an "equal" rather than discriminate against me, at least have read the "Notice of Claim" from the Federal Motor Carrier Safety Administration, that the owners of used as their foundation for their counter claim, he would of found a discrepancy in the second paragraph with the word "violations." Knowing that Arizona has "problem solving" courts, can call the Federal Motor Carrier Safety Administration's Arizona office at talk to at ext 303 and at ext 311. Upon doing so would of realized that the owners of and were in violation of of the Arizona Criminal Code.

Instead awarded the owners of