

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-008

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Judge:

Complainant:

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**ORDER**

March 31, 2021

The Complainant alleged a justice of the peace engaged in improper demeanor and granted an unlawful eviction.

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).

Copies of this order were distributed to all appropriate persons on March 31, 2021.

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

21-008

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.

(Some history for clarification purposes)

We were on a list for waiting to get an apartment where we live in an "Affordable Housing"/HUD designated apartment complex owned by the City of and managed by (Hereinafter referred to as ) I have no desire to move. From to there was no hot water to entire buildings ( apartments) in my complex. (ARS 9-1303, 33-1324, 33-1364) The people who live here are mostly older people, disabled, low income, have lived here for , and they are all afraid because in Arizona when a tenant complains, landlords retaliate. This is unlawful according to ARS 33-1381 Retaliatory Conduct Prohibited.

In I was going to be starting a new job after not working for I wanted to take a shower before my I notified management and that if the problem wasn't fixed, I was going to be getting a motel room. (ARS 33-1341, 33-1363, 33-1364, 33-1367) The problem persisted and I followed through. I submitted the bill and deducted the amount from my rent which was accepted by the apartment managers and later I received a notice to pay the rest of my rent or get evicted. Since I know tenants don't win here, I paid it. However, I went back and forth with . This was all done via emails which can all be made available upon request - in the interest of saving paper and everyone's time. I will not include them with this Judicial Conduct complaint. I finally filed a Civil Complaint in on (I can find no lawyer who will help me and I am not well versed in civil procedure.) It's going slowly, but the retaliation attempts have intensified to the point where I was physically assaulted by the assistant manager, on # ) and have I attempted to file injunctions against harassment against both and the office managers individually. All were denied in separate courts. Judge court was one of them. Due to my disability being aggravated by all this unnecessary conflict, I wasn't able to submit my second amended civil complaint until . When I came home from court, I found a Notice of Immediate Termination taped to my front door.

(Judicial Misconduct)

In addition to not granting my injunction against harassment which, in part, led to this Notice, Judge is guilty of Judicial misconduct because he granted an unlawful eviction. He was informed both verbally and in writing of the complaint that had already been filed against the landlord which should have made it necessary for the LANDLORD to prove the allegations being made. He was also informed of the assault committed BY the landlord at the injunction hearings, at the eviction hearing on the and also the final eviction hearing . All of these things put the burden of proof back on the landlord, as well as notice that proper notice of eviction was ever given at all. Judge never asked for any of those things and other than a collaborated statement of an office employee that was not in attendance for any of those things, no prove was entered into evidence by the plaintiff.

I went online to get a copy of the record of this hearing to attach to this complaint and saw that " How convenient for judge . My witnesses were both barely tolerated by the judge, who when he did allow them to speak, was completely dismissive of their testimony and of concern of the plausible retaliation efforts he may experience now that he has testified!

**CONFIDENTIAL**

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**FOR OFFICE USE ONLY**



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My daughter \_\_\_\_\_ a \_\_\_\_\_ with \_\_\_\_\_, was verbally assaulted by Plaintiff's attorney and his misleading line of questioning was allowed to continue, yet when I was simply trying to calm my daughter down and tell her it was " \_\_\_\_\_ " Judge \_\_\_\_\_ stopped her testimony saying I was " \_\_\_\_\_ "

At the beginning of every case I have had before Judge \_\_\_\_\_ I have immediately stated the fact that there is a complaint pending against the Plaintiff, of the assault I experienced for which there is a written police report filed, and at the eviction case he was also notified of the \_\_\_\_\_ attempted injunctions against harassment. All of these things were of no interest to \_\_\_\_\_ at all, and that is wrong.

Judge \_\_\_\_\_ was completely dismissive of my witness \_\_\_\_\_ who testified about what he saw and heard on \_\_\_\_\_ when I was assaulted by one of the office managers. \_\_\_\_\_ also stated that he personally called and spoke with " \_\_\_\_\_ " (which was \_\_\_\_\_ District Manager of \_\_\_\_\_ ) immediately after the incident on \_\_\_\_\_

\_\_\_\_\_ then went on to inform the judge that he was concerned he would now be retaliated against and the judge yelled at him saying " \_\_\_\_\_ " I immediately said that \_\_\_\_\_ has valid concerns because that is exactly what we are talking about!

When asked if rent was paid, I stated that " \_\_\_\_\_ " and that I have a receipt to prove it. The Plaintiff fumbled around in their testimony and then said " \_\_\_\_\_ " WHAT?!

Judgment was entered FOR THE PLAINTIFF and upon inspection of the court documents, I owe \$ \_\_\_\_\_ ! For WHAT?

NO PROOF WAS SUBMITTED THAT ANY ASSAULT WAS MADE AGAINST THE PLAINTIFF AND NO PROOF WAS ACCEPTED THAT THE PLAINTIFF COMMITTED AN ASSAULT.

Proof of retaliation was offered and denied.  
Proof of a prior complaint was offered and denied.  
Witness testimony was denied

**THIS JUDGE IS ACTIVELY BREAKING THE LAW AND DESTROYING LIVES BECAUSE OF IT. HE NEEDS TO BE REMOVED FROM THE BENCH**