

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-025

Judge:

Complainant:

ORDER

June 8, 2021

The Complainant alleged a pro tem justice of the peace altered court records, engaged in an angry tirade, and improperly failed to recuse from his cases.

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 only reviewed a partial recording of the oral argument on the Complainant's request to reverse the judgment. The complete recording was unavailable due to a server failure. The Commission reviewed all other 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 June 8, 2021.

Comp
2021-025

Commission on Judicial Conduct
1501 West Washington, Suite 229
Phoenix, AZ 85007

RE: Deprivation of Rights Under Color of Authority

Dear Commissioners;

Let this letter serve as notice of malfeasance in office by Judge

at the

Justice Court Precinct . His indiscretions comprise both unethical and illicit actions that include breach of oath; deprivation of rights; falsification of court records; refusal to adjudicate; and failure to recuse.

Case Number
(attempted extortion)

During a career in I had occasion to use both our small claims division and superior court in matters related to business administration. Last year I had to defend myself in a claim related to mortgage lending. A client of mine received a mortgage loan which he used to purchase an investment property that he rented out over several years. When my client decided to liquidate the property he first offered it to his Tenant under a formal purchase agreement. The Tenant apparently advanced monies over a period of months to secure the purchase agreement. However, when she learned her Landlord (seller) was delinquent in payment of his mortgage, and that the property was in foreclosure, she became angry and upset. I counseled the Tenant and asked that she remain in possession. I also agreed to credit her for any rents she had made, or would make in the future, and that I would also assist with her purchase of the house if she later decided to do so. My counsel apparently fell upon deaf ears as she unexpectedly vacated her rental house shortly thereafter.

Subsequent to the foregoing events, the Tenant filed a claim against me in Judge _____ court for \$ _____ and proceeded to move the case forward. In arbitration I was identified as the Lender, and her Landlord was identified as my Borrower, the client who had received the mortgage loan used to purchase the house the Tenant occupied. Apparently since my name appeared on the mortgage security instrument, the Tenant assumed I was an owner of her rented house. It appeared that I had prevailed in Arbitration but I later found out that was not the case?

Case Number _____
(abuse of process)

In order to recover time lost and the expense of defending this frivolous suit, I filed a claim under an "abuse of process" action. At the initial hearing Arbitrator _____ ignored my plea to hear the case and focused his attention on the Defendant (Tenant) who had filed a counter-claim. This counter-claim, which I had never received a copy of, was in fact the same claim made in the previous case. My objections under " _____ " were ignored and he proceeded to hear the defendants counter-complaint (Jeopardy). It became obvious that something was seriously wrong. (in a later review of court records I found that Judge _____ had covertly altered court records to show that I had not prevailed in the previous case)

This explains the Arbitrators abnormal behavior after having read the " _____ ".

Late in the hearing the Arbitrator asked that I drop the case " _____ "!

Of course I was mystified by such a comment and refused his request!

Subsequent to this " _____ " I wrote to the court with details of this fiasco and demanded a reversal of the decision. My plea was ignored just as Judge _____ had

strategically planned. I wrote a second time with a request for another hearing which was finally granted and scheduled.

At the second hearing of case _____ Judge _____ interrupted the presentation of my case with an angry tirade of meaningless interrogation that was directed at my person and had absolutely nothing to do with this case! It was obvious he remembered altering court records and did his best to cover this heinous act with a display of fictitious and dictatorial revelations refusing to acknowledge my repeated requests that he stop the angry tirade and get down to business! Needless to say the repeated requests to present my case were unsuccessful after which he abruptly ended the hearing in a fit of anger!

It must also be noted here that Judge _____ and I have had strained exchanges during our professional careers. One conflict occurred during my purchase of _____

_____ This situation established a conflict of interest and was brought to his attention but ignored (recuse).

Respectfully,