

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-072

Judge:

Complainant:

ORDER

July 7, 2021

The Complainant alleged a justice of the peace improperly denied his defense in an eviction proceeding.

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).

Commission members Denise K. Aguilar, Christopher W. Ames and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 7, 2021.

2021-072

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.

I had filed a complaint against My Landlord
AND MANAGEMENT Company for Retaliation. My LEASE
WAS CANCELED AND RENT WAS RAISED AS A RESULT OF
my complaint filed with the city for A/C REPAIRS.

IN SAID JUDGE REFUSED TO ALLOW MY STATUTORY
DEFENSE TO AN ACTION FOR POSSESSION FOR THE THE LANDLORDS
RETALIATION AS A REMEDY FOR MY FILING THE RETALIATORY
CLAIMS. (TITLE 33-1381 B). THE ACTION BY
LEFT ME EXPOSED TO THE THREAT OF EVICTION WHICH THE LANDLORD
USED WITH THE ADDED THREAT OF BRINGING WITNESSES TO THE
POSSESSION HEARING TO SUBMIT FALSE TESTIMONY WITH NO TIME
TO (LESS THAN 24 HOURS FOR THE HEARING AND UNDER
TEXTBOOK DURESS). JUDGE VIOLATED MY STATUTORY
RIGHT TO THE DEFENSE AND EVEN ASKED IF THE LANDLORD
HAD TREATED ME ANY DIFFERENT? AS IF TO IMPLY THAT
RETALIATION AGAINST TENANTS WERE THE NORM!?

It is a judge's duty to know the laws to enforce them especially when most possession actions are expedited and the majority of tenants cannot afford counsel, especially when you have less than _____ to find one.

Had _____ allowed the defense and determined if there was any retaliation first, I would not be paying rent increase, I would probably have a lease and surely would not be liable for legal _____ ? For exercising my statutory right to have repairs done without fear of retaliation.

Had action on lock thereof has put me in a legal predicament that I should not have to bear, for I have a rock solid case for retaliation. The possession action was the landlords only hope to undermine my actions against them and _____ help bail them out by not enforcing the law or having no knowledge of it. I tried to appeal the matter stating that I settled under duress because of the threat of eviction.

This is why the statute offered the defense and it is paramount judges are aware of it.

So in sum, I had my LEASE
REVOKED in RETALIATION, my RENT INCREASED
in RETALIATION, My ability to HAVE MY
CASES HEARD, and now OWE legal FEES,
for having the POWER to EXERCISE MY
Statutory Right, All BECAUSE my DEFENSE
afforded by the Statute REJECTED by
I cannot appeal and should
NOT HAVE BEEN in a position to HAVE to
the legislative intent one can infer from the
clause was designed for cases like this
THE 33-1381(B).

The Court of Appeals Declined
Jurisdiction as of
through which I was hoping to rectify
this matter.