

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-436

Judge:

Complainant:

ORDER

May 8, 2025

The Complainant alleged a justice of the peace did not follow the law and altered the judgment after the fact.

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 Roger D. Barton and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 8, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-436

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.

CASE COPIES + PICTURES
ATTACHED

Arizona Commission on Judicial Conduct,

I am the Defendant in _____ in the
Court. I was represented by _____ with

Facts relevant to the underlying case

I am the owner of the property at _____ and I entered into a lease agreement where I was the landlord and _____ was the tenant. At the end of the lease _____ gave notes on _____ that he would vacate the property on _____. We agreed to meet and do an inspection on _____. When I called to schedule the inspection on _____ stated he was gone and wasn't coming back. He stated he had not done any clean up and left furniture and things in the house. He told me to use his deposit to fix the house.

At trial when both sides presented their evidence, the judge accepted some of evidence but not some of mine. The Exhibit Log does not match the statements made in court regarding what evidence was accepted. During the hearing the Judge admitted the photographs provided by _____ but refused to admit my photographs. The judge argued _____ photographs were date stamped and mine were not. _____ photographs were not date stamped. He had put the photographs in a word or other similar document program and typed the date he stated they were taken next to the photographs. My attorney wanted me to testify as to who took the photographs we were presenting (me) and when I took the photographs and if they matched the condition of the property at the time I took the photographs. The judge was reluctant to allow this testimony and indicated the Plaintiff's photos were admitted because they were "date stamped" and mine were not because they were not date stamped, but my attorney told me we needed to lay foundation for the evidence to be admitted. The judge did not or was reluctant to allow this because we had not typed up a paper saying when we took the pictures. In researching for this complaint the Exhibit log for the case does not match what the judge stated in court. It shows that all our exhibits were admitted and the Plaintiff/Pettitt's exhibit of the photos were not. That is not correct.

At the conclusion of the case, after judgment was entered in favor of _____ the Plaintiff, he filed a notice of appeal. On the final day/deadline for me to file an appeal the judge without request from either party altered the final judgment and increased the judgment against me.

Canon 1

Rule 1.2: Promoting Confidence in the Judiciary. A judge shall at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Comment 5 states actual improprieties include violations of law, court rules, or provisions of this code. My attorney tried to explain how evidence is admitted and that we needed to provide

certain information on when the photos were taken in order for them to be admitted. It appears to me that we were trying to follow the rules in properly providing the information needed for the photos to be admitted and [redacted] did not. Yet the judge stated in court that his photos were admitted and mine were not. Failure to follow the rules of evidence diminishes confidence in the judiciary. Also that the exhibit log does not match what was said in court worries me.

Canon 2

Rule 2.2 Impartiality and Fairness. A judge shall uphold and shall perform all duties of judicial office fairly and impartially.

[redacted] admitted in court to having left items in the home. His photos did not show these items in his pictures, but my photos did show these items in the pictures. The judge, however, took his photos but not my photos. This seems to violate impartiality.

The judge, after entering her decision on [redacted] changed her order on [redacted] without any known communication from either party. This was done on the deadline for the appeal. While I had filed an appeal this change in the ruling could have changed my decision to appeal or not appeal the original ruling because she increased the judgment amount against me. I believe this violates both Rule 1.2 and Rule 2.2. She did not give a reason for this change in her ruling and appeared to do it out of the blue. Changing the ruling is not fair.

Rule 2.3 Bias, Prejudice, and Harassment.

Comment 1 states A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.

I filed a motion asking for clarification of the settlement amount on [redacted]. I did not receive an answer to this motion. After a change in the judgment amount without any explanation, I believe I was harassed and treated unfairly with the change in the judgment, but not responding to my motion asking for explanation is unfair and harassment.

Attached

1. Exhibit Log
2. Civil Minute Entry dated [redacted]
3. Civil Minute Entry dated [redacted]
4. Motion for Clarification of Settlement Amount

COURT

PLAINTIFF(S): VS DEFENDANT(S):	CIVIL MINUTE ENTRY PLAINTIFF'S ATTORNEY: DEFENDANT'S ATTORNEY:	CASE NO. Defendant's Address:
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COURT DATE: _____ TIME: _____ HEARING TYPE: Status Conference

PLAINTIFF:	<input type="checkbox"/> Present	<input type="checkbox"/> Not Present	<input type="checkbox"/> By Counsel
DEFENDANT:	<input type="checkbox"/> Present	<input type="checkbox"/> Not Present	<input type="checkbox"/> By Counsel

ON _____ THIS COURT PRESIDED OVER A CIVIL BENCH TRIAL AND TOOK CASE UNDER ADVISEMENT. AT THE TIME OF THE HEARING BOTH PARTIES WERE PRESENT. THE DEFENDANT WAS REPRESENTED BY ATTY. _____ --BOTH PARTIES SUBMITTED EXHIBITS. AFTER REVIEW OF EXHIBITS AND TESTIMONY THIS COURT CONSIDERED THAT IN FACT THERE WAS A CONTRACT SIGNED BY BOTH PARTIES. THE COURT ALSO TOOK INTO CONSIDERATION THAT A WALK - A LIST OF THE PROPERTY/CONDITION PRIOR TO MOVE IN OR A EXIT WALK THROUGH OF THE PROPERTY WAS NOT CONDUCTED. THE PLAINTIFF FILED A COMPLAINT FOR THE RETURN OF HIS DEPOSIT A TOTAL _____ THE DEFENDANT RESPONDED WITH A CLAIM IN A DEMAND LETTER FOR AMOUNT OF _____ -AFTER CONSIDERATION TO TESTIMONY AND EXHIBITS THE COURT FINDS JUDGMENT FOR THE PLAINTIFF FOR THE AMOUNT OF ...(CONTINUED ON NEXT PAGE)

DATED: _____

JUSTICE OF THE PEACE HEARING OFFICER PRO TEM

ALL PARTIES IN ANY CIVIL CASE HAVE THE RIGHT TO APPEAL BY FILING A NOTICE OF APPEAL WITH THE TRIAL COURT WITHIN (14) CALENDAR DAYS AFTER THE ENTRY OF THE ORDER, RULING, OR JUDGMENT APPEALED FROM, EXCEPT IN AN EVICTION CASE THE TIME LIMIT SHALL BE (5) CALENDAR DAYS. THERE ARE NO APPEALS FROM A SMALL CLAIMS JUDGMENT. PURSUANT TO RECORDS RETENTION AND DESTRUCTION SCHEDULE, YOUR EXHIBIT(S) WILL BE DESTROYED UPON DISMISSAL, DISPOSITION, OR FINAL APPELLATE RULING WHICHEVER COMES LATER.

Copy/Notification To:	US Mail	Runner Service	Email	Hand Delivered	Telephone / Voice Mail	For Court Use Only
Plaintiff(s)						DATE: _____ BY: _____
Plaintiff(s) Attorney						
Defendant(s)						
Defendant(s) Attorney						
Garnishee						

* Interest rate shall be at the lesser of ten cent per annum or at a rate per annum that is equal to one per cent plus the prime rate as published by the Board of Governors of the Federal Reserve System.

COURT

PLAINTIFF(S): VS DEFENDANT(S):	CIVIL MINUTE ENTRY (ADDENDUM) PLAINTIFF'S ATTORNEY: DEFENDANT'S ATTORNEY:	CASE NO. Defendant's Address:
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(CONTINUED FROM PREVIOUS PAGE) ... THIS EXCLUDES THE BLINDS AT --
 YARD/SERVICE INVOICE LIMITED OF AT \$ ----REMOVAL OF THE COUCH. ITEMS SUCH AS
 PAINTING OR CLEANING WAS NOT INCLUDED SINCE A WALK THROUGH AND EXIT EVALUATION
 WAS NOT PROPERLY CONDUCTED. THE COURT CONSIDERED YARD, BLINDS, AND COUCH AS THE
 OBVIOUS ITEMS LISTED. THE COURT ALSO CONSIDERED THAT THE PHOTOS SUBMITTED BY THE
 PLAINTIFF/DEMONSTRATED THAT THE PROPERTY APPEARED TO BE CLEAN OTHERWISE.

DATED: _____ JUSTICE OF THE PEACE HEARING OFFICER PRO TEM

ALL PARTIES IN ANY CIVIL CASE HAVE THE RIGHT TO APPEAL BY FILING A NOTICE OF APPEAL WITH THE TRIAL COURT WITHIN (14) CALENDAR DAYS AFTER THE ENTRY OF THE ORDER, RULING, OR JUDGMENT APPEALED FROM, EXCEPT IN AN EVICTION CASE THE TIME LIMIT SHALL BE (5) CALENDAR DAYS. THERE ARE NO APPEALS FROM A SMALL CLAIMS JUDGMENT. PURSUANT TO RECORDS RETENTION AND DESTRUCTION SCHEDULE, YOUR EXHIBIT(S) WILL BE DESTROYED UPON DISMISSAL, DISPOSITION, OR FINAL APPELLATE RULING WHICHEVER COMES LATER.

Copy/Notification To:	US Mail	Runner Service	Email	Hand Delivered	Telephone / Voice Mail	For Court Use Only
Plaintiff(s)						DATE: _____ BY: _____
Plaintiff(s) Attorney						
Defendant(s)						
Defendant(s) Attorney						
Garnishee						

* Interest rate shall be at the lesser of ten cent per annum or at a rate per annum that is equal to one per cent plus the prime rate as published by the Board of Governors of the Federal Reserve System.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**