

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-006

Judge:

Complainant:

ORDER

April 4, 2025

The Complainant alleged a justice of the peace was biased in ruling in a traffic ticket case.

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 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 April 4, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-006

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.

See attached document with exhibit.

INTRODUCTION

is filing this complaint with the Arizona Commission on Judicial Conduct to inform of a Judge acting in conduct prejudicial to the administration of justice that brings the judicial office into disrepute, also the Judge violated the code (*see* Rule 6 of the Commission Rules). Furthermore, all information provided is not only supported by sworn testimony, but by the record itself (*see generally* attached Exhibit A¹).

FACTS

On _____ was issued an “Arizona Traffic Ticket and Complaint” and it was filed in the _____ Justice Court in _____, Arizona thus commencing a legal action.

A trial date was set for _____ on case # _____. On that day, _____ went to the court to defend herself in accordance with the law. During trial, violations of Rule 13 (b) of the Arizona Rules of Procedure for Civil Traffic Boating, Marijuana, and parking were raised and all evidence the State said it had was excluded, which was only his body cam footage (*see* Exhibit A, pg. 4 at 08:47).

Continuing with the trial, both parties gave testimonies which contradicted each other. The Judge then began sentencing by turning to the Defendant and said: “

...” (*see* Exhibit A, pg. 8 at 15:08 & 15:55)

Defendant was found responsible and the case is currently on appeal.

¹Exhibit A is a transcription of an audio file from _____ Justice Court. It is the record of the trial proceedings and was made using a computer application; Descript. If the Commission wants a copy, I am happy to provide the original audio file.

ARGUMENT

I. TRIAL COURT SHOWED BIAS AND IMPROPRIETY

a) Trial Court Judge Misapplied the Rights of the Defendant to the Plaintiff Thus Turning the Due Process Rules and Procedures Upside Down.

1. Judge accepted the Plaintiff's testimony as the sole evidence in finding the Defendant's responsibility and then stated the Defendant, had not provided any evidence (*see* Exhibit A, pg. 8 at 15:08) despite the fact that Defendant gave testimony as well portraying a completely different scenario that demonstrated she was not at all responsible for the charges against her (*see* Exhibit A, pg 7 at 12:51 & 13:45).

2. When the Judge accepted the testimony of the Plaintiff yet completely ignored the Defendant's, the judge showed a strong bias toward the State trooper, acting as the Plaintiff, and showed a lack of respect for the due process rights of the Defendant, including but not limited to: 1. Burden of proof resting on the Plaintiff, 2. The long standing judicial tradition of acting in fairness and in an unbiased manner, and 3. Upholding the principal of innocent until proven guilty. These due process rights are not merely a procedural nicety; these are the cornerstone of justice, liberty, and fairness that has been upheld by centuries of legal tradition.

3. In other words, the Judge swapped the procedural rules and protections of the Plaintiff and Defendant by placing the burden of proof on the defendant and gave the presumption of innocence to the Plaintiff. To further expand on applying the

presumption of innocence to the Plaintiff, I mean innocence to his testimony, not innocence to any charge or allegation.

REQUEST FOR REVIEW

Therefore, requests that the Commission review the above complaint against Judge
and consider all possible code violations, including but not limited to;

Canon 1, “A Judge shall uphold and promote the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.”

When the Judge ignored the testimony of Defendant yet used the Plaintiff’s as the sole reason for his sentencing, he acted with bias, was partial toward the Plaintiff, and showed impropriety thus violated Canon 1 of the Code.

Canon 2, “A Judge shall perform the duties of judicial office impartially, competently, and diligently.”

When the Plaintiff could not bring forward any evidence except testimony, the judge manifested prejudice and showed bias by elevating that testimony then ignoring all efforts by Defendant to defend herself and also did not ensure the right to be heard (Rule 2.6). The Judge ignored the standard of a preponderance of the evidence and misapplied the burden of proof. These actions have brought the judiciary into disrepute thus is a violation of Canon 2 of the Code.

Thank you.

**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.**