

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-098

Judge:

Complainant:

ORDER

June 10, 2025

The Complainant alleged a justice of the peace granted a motion prematurely, did not respond to his answer, and improperly allowed a pro tem to sign the order.

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 and Scott H. O'Connor did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 10, 2025.

- However, **the electronic record shows that this motion was both granted and ordered on _____—just _____ days after it was filed.**
- This constitutes a fundamental due process violation. The Arizona and U.S. Constitutions guarantee a litigant’s right to be heard before adverse rulings are issued. By granting the Plaintiff’s motion prematurely, the court acted beyond its authority, depriving me of my right to respond in accordance with Rule 120 of the Justice Court Rules of Civil Procedure.
- If I had not reviewed the electronic court record myself, I would have **incorrectly believed I still had time to respond** when in reality, the order had already been granted.
- This ruling was issued **prematurely and unlawfully** in violation of my procedural rights.
- The unsigned Order I received was accompanied by the **notice of Motion to Waive Appearance of Real Party in Interest**, and I only obtained a signed copy because I specifically requested it from the court clerk when I filed my **Motion to Dismiss on _____**. Without that request, I would have only had access to an unsigned copy, raising concerns about transparency and procedural integrity.

2. Lack of Response from the Court After My Answer Was Filed

- I filed my **Answer** to the civil complaint on _____.
- The **court never responded** to my Answer nor ruled on the issues raised.
- Instead, the record shows that **an Order for Mediation was entered on _____**, but I was **never notified of this order.**

- I only became aware of **mediation when I received a notice from the plaintiff's counsel on** _____, **requesting to waive the Real Party in Interest's appearance.**

3. Motion to Dismiss Filed—No Justification for Mediation

- On _____, **I filed a Motion to Dismiss**, reinforcing the same arguments made in my Answer but now with additional **case law citations**.
- I also **sent a copy to the plaintiff's counsel** in accordance with procedural rules.
- The **plaintiff alleges breach of contract but has failed to produce any signed contract**.
- Since the plaintiff's counsel **has not provided a valid, enforceable contract proving the alleged debt**, there is **no basis for mediation**.
- The case **should not move forward until the plaintiff can establish standing by providing the necessary documentation**.

4. Questionable Judicial Signature on the Order

- The **judge assigned to my case, according to court records, is Judge** _____
- However, **the order issued in my case was not signed by Judge** _____—instead, it was digitally signed as **"/s/ _____, JP-PT"**.
- A thorough review of official court records does not list _____ as an assigned judge in my case. If _____ was a Pro Tem judge (JP-PT), Arizona law requires **transparency in judicial assignments. I was never notified of any substitution,**

reassignment, or judicial training arrangement, raising serious concerns about the legitimacy of the order.

- If _____ was serving as a Pro Tem judge (JP-PT), where is the official record of their appointment?
- If Judge _____ was removed or substituted, why was I not notified?
- The Commission should investigate whether this substitution was proper and authorized.

5. Potential Collusion Between Court Clerks and Plaintiff's Attorneys

- The _____ Justice Court clerks process orders and ensure they are properly signed before filing.
 - Why did the court clerks process an order signed by a name that is not listed as the assigned judge?
 - Are clerks regularly approving and processing unsigned or improperly signed orders?
 - The pattern of premature rulings, pre-prepared orders that match final judicial rulings, and lack of transparency in judicial assignments suggest possible collusion between the court and plaintiff's attorneys. The Commission must determine whether this is an isolated instance or a broader systemic issue affecting due process rights of pro se litigants.
 - If this is a pattern, it would indicate a serious procedural breakdown affecting many cases, not just mine.
-

- The Commission should **investigate whether the court is improperly favoring debt collection firms over pro se defendants.**

6. Court's Failure to Ensure Proper Service of Plaintiff's Disclosure Statement

- On _____, the Plaintiff filed a **Notice of Service Re 26.1 Disclosure**, yet I **never received any notice or a copy** of this filing.
- This is a **clear due process violation**, as I have a legal right to receive all filings related to the case in a timely manner.
- This is **not the first instance** where I have failed to receive notice of important filings and orders, raising concerns about whether the court is systematically favoring the Plaintiff.
- **I only became aware of this filing by checking the online case record myself**—I was never served as required by procedural rules.
- If I had not taken the initiative to check the online records, I would have remained unaware of this filing, potentially causing serious harm to my defense.
- The failure of the court to **enforce proper service requirements** demonstrates judicial negligence and potential procedural bias in favor of the Plaintiff.

Requested Actions

Given these serious violations, I respectfully request that the **Arizona Commission on Judicial Conduct** conduct a full investigation into the procedural irregularities in this case and take corrective action as necessary. Specifically, I request that the Commission:

- 1. Investigate Judicial Authority & Transparency**

**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.**