

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-629

Judge:

Complainants:

ORDER

April 14, 2026

The Complainant alleged a justice of the peace made inconsistent rulings involving the same set of facts in two eviction proceedings.

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 member Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 14, 2026.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2025-629****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.

**COMPLAINT OF JUDICIAL MISCONDUCT
Against Judge**

Justice Court

I. PARTIES

1. This complaint is submitted by _____ co-signor on the residential lease at issue (Exhibit A).
2. The respondent is Judge _____ of the _____ Justice Court.
3. _____ the complainant's son, was the tenant named in the eviction actions described herein.

II. BACKGROUND AND FIRST EVICTION ACTION

4. On _____ Judge _____ presided over an eviction action brought by the owners of the apartment complex in which _____ resided.
5. The eviction action alleged non-payment of _____ rent.
6. Prior to the filing of the eviction action, _____ tendered full payment of the rent in the amount required by the lease.
7. The property owners refused to accept this full rent payment and thereafter alleged non-payment of rent (Exhibit B).
8. Documentary evidence establishing that full _____ rent had been paid or tendered and wrongfully refused was presented to the court.
9. On _____ Judge _____ dismissed the eviction action (Exhibit C).

III. SECOND EVICTION ACTION

10. On _____ a second eviction hearing was held involving the same parties.
11. The basis for the second eviction action was materially identical to the first.
12. The property owners again refused to accept full rent payment, this time for _____ and then alleged non-payment of rent (Exhibit D).
13. The same five-day notice of eviction used in the previously dismissed action was relied upon in the second proceeding.
14. Documentation demonstrating that full rent payments had been paid or tendered for both _____ and _____ was submitted to the court.

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COMPLAINT AGAINST A JUDGE

Name:

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Judge's Name:

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IV. INCONSISTENT RULING AND IMPROPER CONDITIONS IMPOSED

15. Despite having dismissed the first eviction action on identical facts nine days earlier, Judge reversed course in the second proceeding.
16. Judge informed that he must either proceed to trial later that same day or immediately pay
17. The demanded amount included:
- a. for and rent, which had been fully tendered and wrongfully refused by the property owners; and
- b. in attorney fees, late fees, and other charges not authorized by the lease.
18. The eviction complaint asserted rent due in the amount of which improperly included non-rent charges in addition to the actual monthly rent of (Exhibit E)
19. Judge was presented with copies of rent checks and other documentation establishing that no rent was due in the amount claimed.

V. VIOLATION OF RULES GOVERNING EVICTION ACTIONS

20. The late fees claimed by the property owners arose only after the filing of eviction actions that were predicated on the owners' refusal to accept timely rent payments (Exhibits E and F).
21. Additional fees claimed were not rent-related and were not contained in the written lease agreement.
22. Rule 13(c)(2)(D) of the Rules of Procedure for Eviction Actions provides:
"Charges sought that were not contained in a written rental agreement shall not be awarded in an eviction action, but may be separately sought in a civil action."
23. Notwithstanding this rule and the evidence presented, Judge permitted the inclusion and enforcement of these prohibited charges in the eviction proceeding.

VI. COERCION AND PREJUDICE

24. At the time of the second hearing, and the complainant had both just begun new employment.
25. They had already missed work to attend the first hearing.
26. Proceeding to trial would have required missing an entire additional day of work, which was communicated to Judge
27. Under the threat of immediate trial and eviction, and in light of the known employment hardship, paid the demanded amount.
28. The payment was made under duress to avoid eviction and was not a voluntary acknowledgment of a legitimate debt.

Full complaint attached to email

COMPLAINT OF JUDICIAL MISCONDUCT
Against Judge

Justice Court

I. PARTIES

1. This complaint is submitted by _____, co-signor on the residential lease at issue (Exhibit A).
2. The respondent is Judge _____ of the _____ Justice Court.
3. _____, the complainant's son, was the tenant named in the eviction actions described herein.

II. BACKGROUND AND FIRST EVICTION ACTION

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19. Judge _____ was presented with copies of rent checks and other documentation establishing that no rent was due in the amount claimed.

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VII. GROUNDS FOR JUDICIAL MISCONDUCT

29. The eviction actions at issue were predicated on claims of non-payment that could not exist absent the property owners' refusal to accept full rent payments.
30. The allowance of eviction proceedings under these circumstances constituted facilitation of manufactured claims.
31. Judge had actual notice of the relevant facts through testimony and documentary evidence.
32. By permitting the enforcement of charges expressly barred by Rule 13 of the Rules of Procedure for Eviction Actions, Judge failed to apply controlling law.
33. By facilitating the advancement of claims premised on false allegations of non-payment, Judge facilitated conduct constituting fraud or unethical conduct and a violation of Rule 11 of the Arizona Rules of Civil Procedure.
34. Judge facilitation of fraudulent or unethical behavior, inconsistent rulings, disregard of governing procedural rules, and coercive handling of the second eviction proceeding constitute conduct prejudicial to the administration of justice.

VIII. CONCLUSION

For the foregoing reasons, Judge actions in these proceedings constitute judicial misconduct. His inconsistent application of the law, facilitation of fraudulent or unethical behavior, allowance of prohibited charges, and coercive imposition of payment under threat of immediate trial and eviction undermined the integrity of the eviction process and the fair administration of justice.

I respectfully request that this complaint be investigated and that appropriate action be taken.

Presented this day of

**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.**