

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-643

Judge:

Complainant:

ORDER

April 14, 2026

The Complainant alleged a pro tem justice of the peace improperly denied a motion to disqualify another judge in a civil 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 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.

From:

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To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: COMPLAINT AGAINST A JUDGE

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To whom it may concern;

ARIZONA COMMISSION ON JUDICIAL CONDUCT

Judicial Conduct Complaint

Complainant:

Respondent Judges: *Hon.* and *Hon.*

Court: *County Consolidated Justice Court*

Case No.:

I. INTRODUCTION

I submit this complaint based on my personal experience as the plaintiff in Case No.

. My concerns relate to (1) the appearance of impropriety concerning Judge under Rule 2.11 of the Arizona Code of Judicial Conduct; (2) the treatment and evaluation of evidence in my civil case; and (3) procedural inconsistencies affecting the fairness of the proceedings, including the denial of my Motion to Disqualify by Judge

II. FACTUAL BACKGROUND

1. I filed a civil action arising from a hit-and-run automobile incident on
2. In , the County Attorney's Office declined criminal prosecution of the same defendant involved in this incident.
3. Judge previously served as a Deputy County Attorney in **that same office** during the period when the non-prosecution decision occurred (this is

publicly available information).

4. On _____, Judge _____ issued a ruling in my civil case.
5. Prior to that ruling, I submitted extensive evidence, including photos, videos, witness statements, a detailed repair invoice prepared by a body-shop expert, printed text messages, printed emails, and the police report.
6. A significant portion of this evidence was not addressed in the court's ruling.
7. On _____, I filed a **Motion to Disqualify Judge _____**, citing Rule 2.11(A)(1) under comment (7), concerning the appearance of impropriety.
8. The defendant filed a response **five days late**, yet the court accepted and reviewed it.
9. On _____, Judge _____ denied my Motion to Disqualify **without addressing** the appearance-of-impropriety argument.

III. GROUNDS FOR COMPLAINT

1. Appearance of Impropriety — Rule 2.11(A)(1)

Rule 2.11(A)(1) requires disqualification when a judge's impartiality **might reasonably be questioned**. The relevant Arizona cases establish:

- **State v. Latigue, 108 Ariz. 521 (1972):**

No proof of actual bias required; the test is whether impartiality might reasonably be questioned.

- **Turbin v. Superior Court, 165 Ariz. 195 (1990):**

Even the appearance of impropriety warrants disqualification.

Judge _____ prior employment in the very office that declined to prosecute the defendant in the same underlying incident raises a reasonable question of impartiality. This issue was not analyzed in the denial of my Motion to Disqualify.

2. Concerns Regarding Evidence Consideration

Throughout the proceedings, the court did not address or reference large portions of my submitted evidence. This included:

- Printed emails and texts
- Witness information
- Expert body-shop analysis
- Photographs
- Videos
- Police documentation

I am not alleging intentional misconduct; however, the lack of evaluation or discussion of this material raises concerns about compliance with the **preponderance-of-the-evidence standard** and with the requirement that courts demonstrate consideration of the

relevant evidence.

3. Procedural Fairness and Consistency

The defendant's response to my motion was filed **five days late**, yet it was reviewed by the court and taken under advisement. This created an impression of inconsistent procedural enforcement and contributed to my concerns regarding fairness.

IV. REQUEST FOR REVIEW

I respectfully request that the Commission determine:

1. Whether Judge prior employment created an appearance of impropriety requiring disqualification;
2. Whether Judge ruling complied with Rule 2.11 and the objective standard established by Arizona case law;
3. Whether the treatment of evidence and acceptance of late filings raise judicial-conduct concerns; and
4. Whether the actions described undermine public confidence in the impartiality and fairness of the judiciary.

Respectfully submitted,

Date:

[Sent from Yahoo Mail for iPad](#)