

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 2026-042

Judge:

Complainant:

ORDER

June 5, 2026

The Complainant alleged a superior court judge, now deceased, made an order without notice to Complainant denying Complainant an opportunity to be heard regarding a vehicle in a criminal matter.

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 judge in this matter passed away while this complaint was pending. At this time, there is no purpose in continuation of this complaint. The complaint is therefore dismissed pursuant to Commission Rule 23(a).

Commission members Regina L. Nassen and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 5, 2026.

Judicial Conduct Complaint Statement

I, _____, am employed by _____ in _____, Arizona. _____ is a towing and repair business that also performs contract towing services for law enforcement agencies in the area.

On _____, at the request of the _____, _____ towed several vehicles from a _____ area in connection with the following case numbers: _____, _____, and _____.

As required by Arizona law, when vehicles towed at the request of law enforcement are not claimed within 10 days, an abandoned vehicle report is filed with the State of Arizona. In this case, the vehicles were not claimed within the required time frame. _____ filed the appropriate abandoned vehicle paperwork, and the State of Arizona subsequently issued titles for the vehicles to _____.

The only vehicle remaining from that incident was a _____ . At the time of the tow, the vehicle was not registered to _____.

On _____, I received a phone call from Attorney _____ of _____, Arizona. _____ stated that Judge _____ had ordered that the vehicles be returned to _____. I explained to _____ the legal process that had already occurred, including the issuance of title to _____ by the State of Arizona. I also explained that _____ had incurred expenses for towing, storage, inspection, filing fees, title fees, and repairs necessary to make the vehicle operational.

I advised _____ that I was willing to comply with any lawful court order and would sign the title over as directed by the court. I also informed him that I would delay selling the vehicle and would wait for written direction from the court.

Several days later, _____ contacted me again and stated that his client said if _____ would fill the vehicle with fuel and deliver it to him, he would “_____” I declined to agree to that request and again stated I would wait for court direction.

After several weeks passed with no communication from the court, on _____, I contacted _____ and informed him that I had still received no direction from the court and would be proceeding with the sale of the vehicle.

On _____, I received the first and only communication from _____ County _____ Court via email: an “Order Re-Release of Vehicle” signed by Judge _____.

I contacted _____ to ask how to comply with the order. _____ requested a copy of the order because he had not been aware of it. After reviewing the order, _____ advised me that certain requirements in the order were not legally possible to comply with and that he would need to seek clarification.

The order required actions that conflicted with the legal status of the vehicle, as title had already been lawfully issued to _____ by the State of Arizona months earlier through the abandoned vehicle process.

Despite the issues in the order, I complied to the best of my ability. I provided _____ with the _____, a signed title, and a check for _____.

At no time prior to receiving the email order did I receive any communication from the court, any opportunity to explain the legal status of the vehicle, or any request for information from Judge _____ or the court regarding the facts of the situation.

Concerns Regarding Judicial Conduct

The purpose of this complaint is not to challenge the outcome of a court matter, but to report concerns regarding the manner in which this order was issued and the process that occurred.

My concerns are as follows:

1.Lack of Notice to the Legal Title Holder

At the time the order was issued, _____ was the lawful title holder of the vehicle as recognized by the State of Arizona. At no time prior to the issuance of the order did Judge _____ or the court contact _____, request information, or provide notice that an order affecting our legal property rights was being considered.

2.No Opportunity to Be Heard

_____ was given no opportunity to explain the legal status of the vehicle, the abandoned vehicle process that had occurred months earlier, or the expenses incurred as a direct result of towing the vehicle at the request of law enforcement.

3. Issuance of an Order Requiring Actions That Were Not Legally Possible Under the Vehicle's Title Status

The Order directed to:

- Deliver the vehicle to or Attorney ,
- Ensure the vehicle was titled in name prior to ,
- Pay all costs associated with titling the vehicle in name,
- Provide proof of compliance through an affidavit under penalty of perjury,
- Re-purchase the vehicle if it had been sold,
- Refrain from selling the vehicle under threat of contempt,
- Release the vehicle “regardless of any monies owed,”
- Cease assessing any further charges as of .

At the time this order was issued, the State of Arizona had already lawfully issued title to the vehicle in name through the abandoned vehicle process months earlier.

As the legal title holder, did not have the legal authority to unilaterally “ensure” the vehicle was titled in another person’s name, nor could lawfully complete a title transfer without following the Arizona Motor Vehicle Division’s required transfer procedures.

The order further required to pay all costs associated with placing title in name, regardless of the vehicle’s legal status and without any prior inquiry into the facts of ownership or the abandoned vehicle process.

These directives created a situation where compliance with the literal terms of the order conflicted with Arizona’s vehicle title laws and the legal status already established by the State.

4. Issuance of an Order Requiring Actions That Were Not Legally Possible
The order directed actions that conflicted with the legal status of the vehicle after title had already been issued to by the State of Arizona. Even Attorney , representing the interested party, expressed confusion regarding how portions of the order could be complied with.

5. Issuance of an Order Without Complete or Accurate Information
Based on the content of the order and the lack of communication with

Towing, it appears the order was issued without the court having complete or accurate information regarding the legal status of the vehicle.

6. Use of Judicial Authority Without Proper Process

The order had the effect of directing a lawful title holder to surrender property without prior notice, hearing, or inquiry into the facts. This created a situation where [redacted] was required to comply with an order that did not appear to take into account Arizona abandoned vehicle law or the legal title issued by the State.

I submit this complaint with respect for the court and the judicial system, and with the understanding that courts must rely on accurate information to issue fair and lawful orders. My intent is not to dispute the court's authority, but to bring attention to a process that affected a lawful title holder without notice, inquiry, or opportunity to be heard. I respectfully request that the Commission review this matter to determine whether proper judicial procedure was followed in the issuance of this order and to help ensure that similar situations do not occur in the future.

IN THE COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF

STATE OF ARIZONA,

CASE NO.

Plaintiff,

vs.

ORDER RE RELEASE OF VEHICLE

Defendant.

On _____ in a related dependency matter, _____, the Court orally
 Ordered the release of the Defendant's vehicle, a _____ ("_____"), initially
 held in this criminal case as evidence or personal property:

IT IS ORDERED that the State and counsel for the parents work with the _____ County
 Attorney's Office to get a release of property to have their property and vehicles released in
 County Case number _____.

IT IS ORDERED that the release of property be placed before this Court in the
 case.

At _____ the Court calls _____ County Case number _____

IT IS ORDERED that the _____ County Attorney's Office lodge a release of property as soon
 as possible.

_____ makes a statement to the Court.

The father makes a statement to the Court regarding the status of his vehicle.

IT IS ORDERED despite the state of registration that the father's vehicle is to be released to him
 without restriction and if not released the Court will consider setting this matter for an Order to
 Show Cause Hearing.

IT IS ORDERED that the minute entry from today's hearing be distributed to _____ and
 to the _____ County Attorney's Office as well.

Counsel collectively makes statements to the Court regarding the property that was seized.

As to _____ County Case number _____, IT IS ORDERED that all property is to
 be released to the mother and father immediately without reservation, without questions.

The Court and _____ discuss the firearm not being returned as it has previously been
 forfeited by the State in the father's criminal case.

_____ makes a statement to the Court regarding tow fees.

IT IS ORDERED if any tow yard has the vehicles in their possession that it is to be released
 without reference to any fees owed.

**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.**