

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 26-101

Judge:

Complainant:

ORDER

May 26, 2026

The Complainant alleged a pro tem justice of the peace failed to follow the law in a civil case by allowing late disclosure and precluding his defense.

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).

Copies of this order were distributed to all appropriate persons on May 26, 2026.

Arizona Commission on Judicial Conduct – Complaint Form (UPDATED)

Comp

1. Name:

26-101

2. Mailing Address:

3. Telephone: | Email:

4. Judge's Name: (Presiding Judge, Justice Court) Location:
, Arizona

5. Court: Justice Court

6. Did you have a case before this judge? X Yes

a. Is the case still pending? X Yes

b. Case Name and Number:

c. Attorneys in the case: , (Plaintiff)

d. Witnesses who observed the conduct: Plaintiff's witness (financially affiliated), name unknown at time of trial

7. I understand the commission cannot reverse court orders or assign a new judge: X Yes

Updated Complaint Narrative (Conduct and Process – Not a Request to Re-try the Case)

This is an update and expansion of my previously submitted complaint. The Commission already has my exhibits and memorandum; this update is submitted to clearly describe the judge's **conduct** and the **procedural handling** that denied me a meaningful opportunity to be heard in Justice Court Case No. ().

I understand the Commission cannot reverse the eviction judgment, change the outcome, or remove the judge from my case. I am reporting conduct that—based on the hearing record—undermined courtroom fairness and my right to be heard, including how late evidence and a surprise witness were handled, and how habitability issues were treated in both hearings.

Evidence format note (hearing proof): I cannot provide written transcript excerpts because the court provided the hearing recordings on an **audio CD** (disk). The audio recordings capture the conduct described below in both hearings. I can provide the CD or copies of the audio if requested.

Conduct timeline (key dates and events):

(A) Trial / evidentiary hearing leading to judgment (): At the trial/evidentiary hearing that resulted in the judgment, the plaintiff submitted a binder of exhibits by email at approximately while trial was scheduled for the same day. This late disclosure deprived me of adequate time to review evidence, prepare objections, and prepare cross-examination.

I requested a continuance to review the last-minute evidence and to prepare. The court denied my request. When it became clear the court would also allow testimony from a witness I had not been given prior disclosure for (a witness employed by or financially affiliated with the plaintiff), I renewed my continuance request. I requested a continuance multiple times to address the surprise witness and the late evidence; each request was denied.

The court proceeded without allowing meaningful time to review the evidence or to prepare cross-examination. The court's handling of late-disclosed evidence and an undisclosed surprise witness prevented a fair hearing and materially impaired my ability to present defenses and respond to the plaintiff's case.

(B) Prior eviction/special detainer hearing (date appears in the court record): In the earlier hearing in this same matter (the eviction/special detainer proceeding), I raised serious **habitability** and housing-condition issues. I was not given a fair opportunity to present those issues in a meaningful way, and the court did not meaningfully address them on the record. The CD audio reflects this conduct and the limitations placed on my ability to be heard.

(C) Judgment and writ sequence (officially reflected in the case paperwork): The court entered judgment dated . The judgment authorized a writ of restitution to issue on , and the writ is dated . I was locked out pursuant to the writ on . This sequence underscores why a fair chance to be heard before judgment and writ issuance was critical.

Habitability and protected defenses raised in both hearings: In both hearings, I raised housing-condition/habitability issues that were material to the court's evaluation of rent, defenses, and fairness. The judge did not meaningfully engage those issues, and the court proceeded to judgment and writ despite those habitability issues being raised on the record and supported by exhibits already submitted to the Commission.

Why this is misconduct/process (not merely legal error): Even if a judge has discretion on scheduling and evidentiary matters, the court must still ensure each party has a meaningful opportunity to be heard. Denying continuances after a same-day evidence dump, allowing a surprise witness without prior disclosure or adequate preparation time, and limiting or disregarding material habitability issues collectively created an unfair proceeding and the appearance of partiality in how the process was administered.

Requested Commission review: I ask the Commission to review the judge's conduct in the two hearings (as captured on the official audio CD) and determine whether the handling of late evidence, surprise witness testimony, repeated continuance denials, and the failure to meaningfully address habitability issues violated the Code of Judicial Conduct and the basic right to be heard.

I affirm, under penalty of perjury, that the foregoing information and allegations are true and correct.

Signature: _____, Pro Se

Date: _____

Arizona Commission on Judicial Conduct – Complaint Form (COMPLETED)

1. Name:
2. Mailing Address:
3. Telephone: | Email:
4. Judge's Name: Presiding Judge (Justice Court)
Location: , Arizona
5. Court: Justice Court
6. Did you have a case before this judge? X Yes
 - a. Is the case still pending? X Yes
 - b. Case Name and Number:
 - c. Attorneys in the case: (Plaintiff)
 - d. Witnesses who observed the conduct: Plaintiff's witness (financially affiliated), name unknown at time of trial
7. I understand the commission cannot reverse court orders or assign a new judge: X Yes

Complaint Narrative

This complaint concerns procedural due process violations in Case No. at Justice Court. On the day of trial, the plaintiff submitted a binder of exhibits at approximately via email while trial was scheduled for the same day. I requested a continuance to review the evidence and prepare cross-examination. This request was denied.

The court allowed testimony from a surprise witness employed by or financially affiliated with the plaintiff. I was not given prior disclosure of this witness and was denied adequate time to prepare. I requested a continuance a second and third time, and each request was denied.

The court proceeded to judgment without allowing meaningful review of evidence and without addressing controlling federal tenant-protection law raised during proceedings. These actions deprived me of a meaningful opportunity to be heard and to present defenses guaranteed under Arizona and federal law.

I affirm, under penalty of perjury, that the foregoing information and allegations are true and correct.

Signature: , Pro Se
Date:

JUDGMENT - EVICTION ACTION CASE NO. _____

PLAINTIFF	DEFENDANT(S)
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THIS MATTER WAS HEARD by the Court on this date:

Plaintiff appeared by counsel. Defendant: _____ failed to appear, or appeared ☒ telephonic _____ virtual _____ in person;
 Defendant entered a plea of _____ guilty / _____ not guilty of special/forcible detainer.

WARNING!

1. The plaintiff's representative is not a court employee. 2. By signing below, you are consenting to the terms of a judgment against you and the plaintiff will now be able to evict you. 3. You may have your wages garnished and the judgment may appear on your credit report. 4. You may lose your right to subsidized housing. 5. You may NOT stay at the property, even if the amount of the judgment is paid in full, unless you get the agreement in writing or get a new written rental agreement.

_____ Defendant Stipulates to the entry of this Judgment.
 Defendant hereby waives any rights to reconsideration or appeal ☒ _____
 I have signed above stipulating to judgment, I was informed of my right to
 remain here at court to appear before the judge and I hereby decline to remain. ☒ _____

Defendant was given proper notice and was properly served with the Summons and Complaint at least 2 days prior to trial.

WARNING: After service of the Writ of Restitution, if you remain on, or return unlawfully to, the property, you will have committed criminal trespass in the third degree and could be prosecuted.

The Court adjudges and finds the Defendants guilty of special detainer for non-payment of rent.

IT IS ORDERED granting judgment to the Plaintiff for:

1. Immediate possession of premises;
2. A Writ of Restitution to issue on or after: After five calendar days from this date; Writ to issue on _____
3. Interest at the legal rate (7.75 percent per annum) until judgment is paid;
4. Rent of _____
5. Late fees of ((_____ Days X _____) This court limits late fees to _____)
6. Court costs of (_____ Filing Fee + _____ Process Server Fee)
7. Attorneys' fees of _____
8. For a total of _____, plus after accruing costs.

Copy to:

Plaintiff: _____:email _____:Fax _____:Mail _____:Hand Delivered

Defendant: _____:email _____:Fax _____:Mail _____:Hand Delivered



252270

☒ JUSTICE OF THE PEACE
 DATED: _____



Case #	Attached Plaintiff's Documents ()
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To:

From: regarding documents for upcoming hearing.

JUSTICE COURT - Case #:

Hearing Date:

Plaintiff:

V.

Defendant:

Plaintiff's documents attached.

Phone: ()

Thanks,

E-mail sent from:

(fax)

Important Information regarding e-mail:

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EvidencePackage.pdf

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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.**