

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 26-159

Judge:

Complainant:

ORDER

June 2, 2026

The Complainant alleged a superior court judge improperly dismissed a civil action.

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, Michael J. Brown, and Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 2, 2026.

**ARIZONA COMMISSION ON JUDICIAL CONDUCT
COMPLAINT AGAINST A JUDGE**

26-159

Complainant:

Judge: Hon.

Court: County Court

Case:

Statement of Complaint

I respectfully submit this complaint against Judge concerning his handling of my civil case, , in County Court.

I understand the Commission is not an appellate court and cannot reverse legal rulings. I am therefore not asking the Commission to decide whether my complaint should have been granted on the merits. Instead, I ask the Commission to review whether the manner in which my case was handled created an appearance of impropriety, denied me a meaningful right to be heard, and reflected a lack of competence, diligence, fairness, or procedural integrity under the Arizona Code of Judicial Conduct.

Factual Basis

In , I filed a civil complaint against . After the defendant filed an answer, I filed a response disputing the allegations and explaining why dismissal was improper.

On , the court entered an order dismissing my civil case. The dismissal was electronically filed on . **See Exhibit A.**

After the dismissal, I promptly filed a **Motion for Consideration and Request for Clarification**. In that motion, I specifically asked the court to reconsider the dismissal, clarify the legal grounds, grant leave to amend if needed, and provide an opportunity for the matter to be resolved on its merits. I also raised due process and equal protection concerns. **See Exhibit B.**

On , I filed a **Notice of Lodging Order Granting Relief in Plaintiff's Motion for Reconsideration and Request for Clarification**, together with a proposed order for Judge review and signature. The proposed order would have granted reconsideration, clarified the grounds for dismissal, allowed leave to amend, and ensured an opportunity to file necessary responses and proceed fairly. **See Exhibit C.**

My concern is not merely that the court denied relief. My concern is that the case was handled in a manner that deprived me, as a self-represented litigant, of a meaningful procedural path. In my appellate filings, I consistently asserted that the dismissal was entered without service of any proposed form of judgment under Rules 58(a)(1) and 5.1, that I had no opportunity to review or object before judgment was entered, and that the dismissal did not contain the finality language required by Rule 54(c). **See Exhibit D.**

The procedural confusion was later confirmed in the appellate process. As explained in my motion for leave to file a supplemental brief, the Court _____ stayed the appeal because the _____-court ruling, though treated as final, was unsigned and did not properly state that no further matters remained pending, and the Court _____ repeatedly required entry of a proper Rule 54(c) judgment. **See Exhibit D.**

On _____, after those appellate stay orders, the superior court entered a signed minute entry stating that the _____ ruling had been intended as the final judgment but “_____ and only then entered final judgment under Rule 54(c). This later corrective judgment confirmed that the earlier judgment mechanics were defective. **See Exhibit E.**

In my view, this sequence created a serious appearance problem. I was required to navigate dismissal, reconsideration, appeal timing, and finality in an irregular and shifting procedural environment. The lack of a clearly compliant final judgment, combined with my asserted lack of notice of any proposed form of judgment, impaired my ability to object, seek clarification, and make informed appellate decisions. **See Exhibits B, C, D, and E.**

I am not asking the Commission to determine that every procedural error is misconduct. I am asking the Commission to review whether the overall pattern in this case reflected failure to ensure my right to be heard according to law, lack of competence or diligence in the handling of final judgment, unfair or nontransparent treatment of a self-represented litigant, and conduct that undermined public confidence in the fairness and integrity of the judiciary.

1. Code Provisions Potentially Implicated

I respectfully ask the Commission to evaluate whether this conduct implicates:

- **Rule 1.2**, requiring a judge to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and to avoid impropriety and the appearance of impropriety.
- **Rule 2.2**, requiring a judge to uphold and apply the law and perform judicial duties fairly and impartially.
- **Rule 2.5(A)**, requiring a judge to perform judicial and administrative duties competently, diligently, and promptly.
- **Rule 2.6(A)**, requiring a judge to accord every person with a legal interest in a proceeding the right to be heard according to law.

I understand that a good-faith legal error is not necessarily misconduct. However, the Code also recognizes that a pattern of legal error or intentional disregard of the law may constitute misconduct.

Requested Action

I respectfully request that the Commission investigate whether Judge _____ handling of _____ involved conduct inconsistent with the Arizona Code of Judicial Conduct,

particularly regarding procedural fairness, competence, diligence, the right to be heard, and the appearance of impropriety.

- Exhibit A – Order of Dismissal
- Exhibit B – Motion for Consideration and Request for Clarification
- Exhibit C – Notice of Lodging Order Granting Relief in Plaintiff's Motion
for Reconsideration and Request for Clarification
- Exhibit D – Appellant's Motion for Leave to File Supplemental Brief
- Exhibit E – Rule 54(c) Final Judgment

Dated: _____

Signed: _____

Filing ID

1 Address: Protected
2 Telephone No.: ()
3 Email Address:
4 Defendant

5 **COURT OF THE STATE OF ARIZONA**

6 **COUNTY OF**

7) **Case No.**

8)

9 Plaintiff,

10) **ORDER OF DISMISSAL**

11)

12 vs.

13) (P/A to the Honorable)

14)

15)

16 Defendant.

17)

18)

19)

20 Pursuant to Defendant's Request and good cause appearing,

21 **IT IS HEREBY ORDERED** dismissing the above captioned matter with prejudice.

22 Each party shall bear their own attorney fees and costs.

23 DATED this day of

24 _____
25 The Honorable

County

Court

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TELEPHONE NO. ()
EMAIL: _____

CLERK OF THE
COURT
FILED
DEPUTY CLERK

IN THE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COUNTY

I,
Plaintiff,

and

Defendants.

Case No: _____

MOTION FOR CONSIDERATION AND
REQUEST FOR CLARIFICATION

(Assigned to the Honorable _____)

Plaintiff, _____, respectfully moves the Court to reconsider its Order of Dismissal entered on _____, and requests clarification of the specific legal grounds for the dismissal.

1. Defendant's Failure to Reply:

Plaintiff notes that the Defendant failed to reply to Plaintiff's Response to Defendant's Answer within the required timeframe. While Arizona Rule of Civil Procedure Rule 7.1(b) does not explicitly mandate a reply, the Defendant's failure to respond may be interpreted as a concession of Plaintiff's arguments. Plaintiff respectfully requests that the Court consider this non-response when reviewing the dismissal of the case.

**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.**