

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-229

Complainant: No. 1317510541A

Judge: No. 1317510541B

ORDER

The commission reviewed the complaint filed in this matter as well as the transcript of the hearing and found no ethical misconduct on the part of the judge. The complainant was given an opportunity to present his case. The other issues raised are legal in nature, and the appropriate remedy would have been to appeal the judge's decision to a court with proper jurisdiction.

The commission is not a court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: November 16, 2007.

FOR THE COMMISSION

\g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 16, 2007.

This order may not be used as a basis for disqualification of a judge.

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

FOR OFFICE USE ONLY

CJC-07-229

COMPLAINT AGAINST A JUDGE

Your name: Judge's name: Date: 08-22-07

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

I will try to be as brief as possible, and focus only on the main points, although there is still a great deal of information I need to share with you. Audio and Video recordings have been an exceptable type of evidence in the courts for a long time now. Because of documents that were filed with the court, and in direct responce to those documents which were filed against me by bearing many falsehoods and fabrications, I took a tape recorder and interviewed five people related to my case about specifics of the case. All five people knew that the tape was going to be played in court as evidence, and they all agreed willingly. Most of the information on that tape was critical to my case, proving the validity of MY case, and showing the fraudulent nature of case. I had asked the court for legal representation, but was denied. I did not know how to subpoena anyone, so my intention was to do the next best thing by recording several peoples statements on tape. After recording thier statements, I transcribed thier statements in writing, which was 22 minutes worth in total, and then returned to those same people to have them sign the statements with thierown hands. I made three copies of those transcripts in total, one for the Court, one for Attorney, and one for myself. I then filed the transcripts and the tape, along with my motions in the case, as evidence, way ahead of deadline, with the Superior Court. The Attorneys copy was hand delivered by me to a receptionist taking mail for the Attorney and I had that receptionist give me a writen reciept for those transcripts and motions. He had these transcripts two months BEFORE the trial, and knew where all five people could be located. If there had been any disputes about any of the information in those transcripts or on that tape, they had plenty of time to talk to those five people or to subpoena them. However, they knew that the inform-

(Attach additional sheets as needed)

-ation was accurate and that thier testimony would have won the case for me, so they decided on a different course of action. I know for a fact that [] had copies of those transcripts, not just because I hand delivered them myself and got a reciept, but ALSO because [] had photocopied snippets of those transcripts and motions, and had given those snippets to other people related to the case, that those snippets discussed. I spoke face to face with one of the people that was discussed in the transcripts, and they showed me the photocopies that [] had given them. Stay with me....

The Attorney for [] asked the Court for a continuence, so since the date was going to be rescheduled, I filed a motion with the Court asking for more time, stating in writing that I would need around 3 hours just for my side of this case. I also asked for an afternoon time slot based on my medical problems (I have disabilities). Both of these motions were denied, the new Court date was set for 9:00AM [] and in the Court itself I was only given about an hour to tell my side of the story. This made things seem even more difficult by the fact that the tape was 22 minutes long. Once the time came that I asked the court to play the tape so we could all follow along in the transcript, the Judge responded by saying, "What tape, what transcripts?", and then claimed that the Court didn't have any such tape or transcript. The Judge kept stating that he would not allow any tape to be played that wasn't duly filed with the Court, and I repeatedly insisted that I had duly filed it with the Court. In addition, the Attorney for [] claimed that he had never recieved a copy of any transcripts (Which I know is a total lie and fabrication), and he actually made two attempts to take myown copy away from me. I was flabergasted that BOTH the Attorney AND the Judge were claiming they had no transcripts or tape. But again I insisted, showing not only the reciept by the Attorneys receptionist, but ALSO the reciept from the Court itself, specifically listing the tape and the tran-

-scripts, from when I had filed them with the Court two months before. The Judge recessed the Court claiming that they would have to go search for the so called LOST transcripts and tape. The Court remained in recess for 41 minutes, causing so great a loss of time that I would not even have the time to play the tape during my personal period of time. 41 minutes later, the Judge returned, claiming that they had found the tape and transcripts, and stating that they had to make copies of the Courts copy of the transcripts to give to the Attorney for [redacted], who was still claiming that he had never seen them before. Oddly, the Judge asked me to compare my copy with the two copies he had just returned with, to make sure they were the transcripts that I had been so adamant about. When I looked at the other two transcripts I couldn't believe my eyes, and it was then that I knew beyond any doubt that I was being set up by the Judge himself. The two transcripts which the Judge produced from his back office were BOTH my originals, not photocopies, but BOTH originals. The last of the five transcripts was from a woman named [redacted] and rather than having her sign the document once and then photocopying, I photocopied her transcript with no signiture, and had her sign all of them individually. The two transcripts which the Court produced were signed copies, not photocopies of her signiture, but her actual signiture in INK. I don't think that the judge had even realized what he had shown me. In short, the transcripts had never been missing in the first place, because the Attorneys copy had been sitting in the back room with the Courts copy and the tape, and were both removed by the Judge himself because the information in those transcripts and on that tape would have lost the case for the Attorney. In addition, claiming that the Attorney had never before seen the transcripts, the judge declared it was nothing but heresay, and threw out the tape and the transcript as inadmisable. That tape and those transcripts were the proof of my case, and it was denied solely because the Judge himself and the Attorney for [redacted]

had conspired to remove it from the case. This was clearly evidence tampering and case fixing by the Judge himself, but this is still no way near the end of the story. Both times I was in Court on this case, the Attorney walked out of the Judges Chambers just before Court began, then nodded to the Bailiff when he was ready, who then called out, "ALL RISE", with the Judge walking out right behind the Attorney. They had been in the back room together discussing the case without me being present. This is total complete misconduct on both thier parts. Then, the Judge proceeded to throw out every single one of my motions and every piece of my evidence, 21 pieces in all, stating that in his opinion all the evidence had nothing to do with the case. Since the Attorney had already recieved a continuence, I asked for a continuence for myself so that I could subpoena all these people, such as those on the transcripts, but was denied. When it finally came time for me to take the stand, the Judge turned to me and said, "You have 15 minutes, make it quick!" How can I lay out events that took three years to happen in under 15 minutes. Yet even then, the Judge kept interrupting me telling the Court reporter to strike my statements from the record. He actually told me he would not allow any negitive statements about the Attorneys client because it would be detrimental to the Attorneys case. What kind of scam is that? Of course it's detrimental to the Attorneys case, that's why I'm telling it! Knowing all my statements were being stricken from the record, I had to consciencely wait until the recorder was typing again and try to explain to the Judge that I was trying to show a repeated history of acts of fraud and theft on the part of [] and that I was only one of a number of innocent victims which had fallen prey to [] I tried to show how she had intended to rob me of an exstreamly significant amount of money, and how she had done the very same thing before to MANY victims, but at every turn the Judge repeatedly cut me off and refused to allow me to show even a single piece of my evidence. Since when did it become illegal to actually

tell the truth in a Court of Law??? Still More..... CJC-07-229

I had to go through a whole process just to be able to file my motions with the Court, because I had to ask for a waiver of the fees, cause I am on social security disability and I have no money. When I filed motions with the Court, they were all in one nice neat little stack, with each motion individually marked as Motion # 1, Motion # 2, etc, etc. When I filed those motions with the Court, I was instructed by Court Personel as to how to sign and where to sign, yet the Judge threw out everyone of my motions claiming I hadn't signed each page or each motion individually. If there even was any kind of signing error, it would have been on the part of the Court Personel, and NOT me. I did absolutely everything that I was told to do, and I mean absolutely EVERYTHING! Besides, I was standing 20 feet from him, and if he needs my signiture I was right there to give it to him. This was no valid reason to blatantly ignor all the facts in the case, and to throw out all my motions and evidence. Shouldn't I have recieved some leway seeing as how I am not an Attorney myself? Still More.....

The Attorney for [] was originally given a deadline by the Superior Court to file a forcable detainer, and although he had something like 6 weeks to do so, when he did file it, it was five days PAST the deadline. Never the less, although I mentioned this fact actually in one of my motions to the Court, the Judge still excepted it anyway, and ordered me to pay [] [] dollars in so called back rent. How do "I" end up being charged [] dollars when [] still owes me for [] dollars in LABOR, which was supposed to apply towards the cost of my trailer? The Judge completely blew off all the evidence and handed the whole case to the Attorney. Still More..

With in a few days, i recieved a letter in the mail from [] the Attorney for [] that appears to have been dropped in the mail on the evening of the [] the same day as the Court itself. The document appears to have been written in advance of the Court trial, and yet it con-

-tains the outcome of the trial. Apparently [] had the document already written in advance just in case Judge [] wanted to simply sign it and be done with the Court trial. You might also note that it was mailed from [] not [] after he had driven home. (SEE photocopies # 1,2, and 3) How does the Attorney already have the outcome of the trial in WRITING "BEFORE" the Court itself has put out its decision, and before the trial even takes place? This case was FIXED, for me to lose. Along with those photocopies there was also a letter (Which I have not included here, but will if requested) that basicly states that I should hurry up and get off the property before he has his good friend Judge [] sock it to me again. I showed the letter to another Attorney just to get his reaction and comments, and that Attorney refered to it as "Strong Arm Tactics!"

Just before the verdict was read by Judge [] the Bailiff called in extra guards to help keep me sitting in the event I fliped my wig or something. They actually forced me to remain seated while [] and her Attorney were leaving the building. How did the Bailiff know I was going to lose the case "BEFORE" the verdict was read?

Very important: A General overview of the case itself. [] represents herself as being the head of [] but the [] is a total scam that she uses to defraud people and the goverment (Local, state, and federal) out of money. This fraud was how she took advantage of me in the first place, because I am an actual [] worker, and have been so for the last decade and a half. The word [] as in []

[] is supposed to stand for []
[] It is specifically making reference to the []
[] owns a rental home that she claimed was the []
[] for which she has recieved tax breaks, grants, and even donations from businesses from around the county. The problem is that there NEVER was a [] It doesn't exist, and it never did. It was just

one of many such scams to rob people out of thier money. [] has claimed to be a "not for profit" orginazation, even filing so with the Arizona Corp. Comm., but it is a total fibracation, and she exists solely to take money from people, or, [] [] has appointed herself to be a [] and [] despite the fact she has no degrees of any kind, at all!! (SEE the attached photocopies) [] created the two fake [] licenses and gave them to [] telling them that if anyone starts asking questions, they were to "pretend" that they were the [] in charge of the [] which as I have already stated does not even exist. They have actually been living in the house that [] claim-
-ed was the [] but isn't. [] have been in business together for a number of years now, with [] acting as the boss telling [] what to do. If you look at the photocopies taken from the [] County Website, you will see that [] was indicted by the Arizona Grand Jury on multiple counts of fraud and theft.

[] came to my trailer while I was actually gone to serve food in a soup kitchen, and attempted to burglerize my home. I had grown to exspect such a thing, so I changed the locks, and had someone watching the house. When I called the police on her, ~~she~~ became so angry that the very next day she tried to run me over with her truck and kill me. She was arrested on multiple felonie charges, ^{see Photocopy} but herein is where it really starts getting strange. She wasn't even heald for one day, and she was O.R.ed without any bail at all. I recieved a summons to come to Court and testify against her, which I did, but she never even showed up to face the charges. If "I" had failed to show up in Court on MULTIPLE criminal charges, there would have been a State wide manhunt for me. And yet, some-one inside the Court system had all her charges dropped. How the HELL does that happen? This is why she has gotten away with victimizing so many people, cause somehow, she has someone inside the Court system helping her.

[] repeatedly has poor people do thousands of dollars of work for her, telling them they will be paid once the job is finished, but then afterwards refuses to pay them claiming thier work was a controbution to [] despite the fact she owes them many thousands of dollars. She did just this kind of thing to me, and no one ever sees it coming because everyone thinks she is [] and honest. When I first met her, besides being [] she also identified herself to me as being a [] and she offered to sell me a nearly 40 year old mobile home cheap because it needed a lot of work and repair. She also had me work on other unrelated projects as strait LABOR telling me she would take what she owed me off the full price of the trailer. Despite owing me [] dollars in labor, as well as all the other thousands of dollars I put into the property thinking it was mine, once it was completely fixed up and repaired, she sent me an eviction notice. She is trying to steal my home, just like she has robbed so many others, and no one is doing anything to stop her. Like me, most of her victims have no way to fight back. For the record, a local (well known) resident of [] saw the trailer before I moved into it, and described it as being "Completely Uninhabitable". This statement may give you some idea as to the amount of work I put into this place, despite my disabilities. This is just a beat up old mobile home, but I made a go of it anyway because it was supposed to be the place where I would live out my elder years in peace and quiet. I never thought [] would take such advantage of me. I am in my [] and I am disabled.

There is also another mobile home on the property that is in question here, which [] also claims is [] and in that trailer she has put a METH dealer. They are selling METH out of a house that [] claims is a [] I am not lieing or making this up. There have been dozens of cars going over there on a daily basis, none of which stay there longer then 10 minutes. Some times the people come to my house by accident

actually asking me for METH, but then going next door once they realize they have made a mistake. Oddly, when I tried to report to the police what I was seeing with my own eyes, a sheriff showed up and threatened to arrest me for bothering them. JESUS how I wish I could afford a movie camera. This is just more icing on the cake. Why would sheriffs protect a METH house? I don't get it. And what's more I have seen officers actually go into that house. Can you believe that???

Here is some more about [] Attorney. If you look at the sample I have sent you from my Court documents, you will note that on the public record his address is listed as [] He is also listed that way in the White Pages (Although there is NO listing for him in the Attorneys part of the Yellow Pages). The problem here is that [] is a vacant abandoned building (SEE photos for yourself). I think it used to be a dounut shop years ago, but there hasn't been anyone in that end of the building for years, let alone any LAW offices. It is (and has been for years) available space for lease. This may show you the willingness of even [] Attorney to commit fraudulent acts and misrepresent themselves.

I have become completely overwhelmed by all that has happened in this case. The facts didn't matter, the evidence didn't matter, the truth didn't even matter. The only thing that mattered was that Attorney and his good friend Judge [] who, despite knowing that "I" was the victim and am disabled, still ordered me off my own property in five days, IN FIVE DAYS!

After all the years I have spent helping and feeding the poor, I just can't believe how many people I have been victimized by. Isn't there anyone left out there with any conscience at all? I knew [] Attorney was going to lie for her, and in fact I expected it. Actually, I expected some form of dectet, lieing or fraud from everyone that had anything to do with [] cause everyone she knows has major skelitons in thier closet. But I never

expected any Superior Court Judge to be a part of it. I thought that he would be the one person that could be trusted, the one person who would help me dig through all the lies to get to the truth, the one person that would protect an old beat-up guy like me. Boy, was I dreaming! I honestly don't have the words to describe all the shock and pain I am feeling. I am shocked beyond comprehension that a Superior Court Judge would do to me what he did. I literally feel like I have been gang raped. Can you imagine that, me a [] year old man, feeling like I have been gang raped. Judge [] deliberately tampered with the evidence and FIXED the case so I would lose. Then he ordered me off what I am sure he knew was my own property, giving me just five days without ever taking into consideration my disability or any of the facts in this case. JESUS, my family has been in America since the late 17 hundreds, and our history is just filled with WAR heroes who laid down their lives for this country. I am a native born American, I speak English. Don't I deserve my honest day in Court? Don't I deserve the chance to tell my side of this story? Don't I deserve to be able to tell the truth, the WHOLE truth? This is complete Judicial Misconduct, and I should clearly receive a mistrial. I need help, and I need someone to help me with an appeal. But actually what I need is a NEW trial because the original one should be declared a Mistrial. Please help me, I swear to you under oath that everything I have told you here is correct and true.

Sincerely Yours,

[]