

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-155

Complainant: No. 1364810658A

Judge: No. 1364810658B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The judge acted within his discretion in deciding who should have custody of the complainant's grandchild. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: August 10, 2009.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed
to the complainant and the judge
on August 10, 2009.

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

CJC 09-155

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 06/17/2009

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.

(Attach additional sheets as needed)

In the original Temporary Custody Hearing on 09/26/2008 Judge made it clear he didn't feel I had case. He told me that I would have to prove total neglect and I would probably only get some if any visitation. He would not let me introduce any evidence that would give me temporary custody. I feel he had predetermined I would not get custody, because I filed under Loco Parentis and came in PRO SE.

Judge did not follow the testimony and/or the evidence supplied to find both parents neglected these children and neither should have custody. I beg the Court to review this case as I feel it was judicated improperly and with prejudice against me personally. And was not in the best interest of the minor child Jr.

In the Trial on 02/17/2009 I proved both parents neglected all the children.

Sr, had lived with my daughter from 02/1995 until 03/2008, 14 years. The judge stated in court based on the evidence the mother was not the proper caregiver for the youngest child Jr. based on the evidence submitted into evidence and the testimony presented.

He did not admonish Sr, even though the evidence also proved he was just a culpable as the mother . He told Sr., if this was a custody hearing he would give him custody. This was ludicrous based on the same evidence and testimony.

Sr. neglected these children as much as the mother. Sr was on all of the medical and school records for all 3 of the children as being legal guardian. And told everyone they were all his children. So how can this judge say only the mother was responsible. Sr. picked up Jr. from school every day and did not help with his child's homework. The teachers testified to this in court.

sibling s health, he is an acute asthmatic. Both parents refused to follow any recommendations from the doctors for his care. And this was also proven in the documentation placed into evidence from the allergist.

School Records for showed neither parent cared that he was failing most of his classes. And never contacted the school to help him. He now lives with me and I helped graduate high school and he is now in college with a B average, school records placed into evidence.

Testimony from (2) of Jrs. teachers testified both parents neglected his schooling and testimony from .Jrs., oldest sibling age 19 also testified to the same neglect. And Sr., still took Jr. to and from School from 3/2008 until School ended May 2008, after they split up. Jr. is learning challenged. He has already been held back 1 grade and it is only time before he is held back again.

Both older siblings live with me. The mother skipped the state June 23, 2008 with the help of Sr. to Colorado taking Jr. with her. and conspired to have her leave the state with out letting either of the older 2 sons know she was gone until she called 2 days later.

She abandoned her then 15 year old son here and I had to take custody, she never even contacted the court in any way, so I received full custody by default. She refused to turn over her 2007 tax returns to Financial Aid at the college, so I am having to pay for s college tuition.

If the judge found the mother was not the proper caregiver, then he had to also find John Sr. not a proper caregiver either. They were together for 14 years 02/1995 - 03/2009 when all the neglect on all the children took place. Not just the last few years since Jr was born in 2000. And Sr., still took Jr. to and from School from 3/2009 until School ended May 2009. And it was proven he never helped his son with his homework. Remember Sr was on all of the medical and school records for all the children as being a legal guardian with .

The father Sr. doesn't feel is a bad caregiver, I ask him if he was going to go for custody based on what the judge stated and he refuses to file for Custody. This is more proof Sr., doesn't care what happens even to his own son.

The Judge never let me submit documentation of the middle sibling s neglect. Which included the child being refuse medical treatment for Migraines by both and Sr. has had Migraines since 3rd grade. He is now under the care of a Neurologist and must take medication every day to keep his Migraines in check.. needed glasses in 5th grade and I had to supply them but they refused to get him rechecked and I in June of 2008 got him back to the eye doctor to find his vision has deteriorated greatly and now must wear glasses 24/7. is now 16 1/2 and going into 11th grade, and doing well in school.

All the above evidence and testimony are in the court records except for s. I can supply that evidence if needed.

Thank you for reviewing this case, to help me protect my 9 year old grandson.