

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-054

Complainant: No. 1387010203A

Judge: No. 1387010203B

ORDER

The complainant alleged a superior court judge made unfair and incorrect rulings. The commission reviewed the complaint and found no misconduct on the part of the judge. The complainant essentially disagrees with the court's finding which the commission cannot change. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 23, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on April 23, 2010.

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

February 17, 2010

Commission on Judicial Performance Review
1501 W. Washington Street
Suite #227
Phoenix, AZ 85007

FEB 25 2010

Regarding: Judge

To Whom it May Concern,

My Ex-wife, Jill, had me forcefully removed from our home, leaving behind all of my personal belongings. She lied several times in her court testimony; has filed six false police reports (one even included a vehicle that had been totaled in an automobile accident); and has been in contempt of court numerous times (she wouldn't sign the QUDRO documents, she was instructed by the court not to transfer any money from the joint accounts or to sell any property and she did in both instances). Additionally, she was instructed to let a third party individual into the home to inventory the property, which she denied them access to. Furthermore, she took control over what property would be dispersed to me by throwing it out on the sidewalk. Jill now has access to the gold coins and \$30,000 that were in the safe, not to mention the money in our joint checking account. She routinely transferred funds from my account into hers as I was making approximately \$150k annually, while she was only making approximately \$80k. There is over \$100k missing and explains how Jill has continued to live the lifestyle we were accustomed to all the while she left me with no home, no money, and no personal belongings.

Arizona is a community property state meaning married couples were to split belonging acquired during marriage at a 50/50 rate. There has been nothing fair about the split of our belongings both acquired prior to and during our marriage. More than 18 months later, I still have not received some of my family heirlooms and personal belongings. I was requested to choose one of two lists of items that Jill put together (of which numerous items were missing), yet Jill has maintained control of what items I was given off of the list. She has been in control of this entire divorce and Judge [redacted] has only supported Jill's constant delays and unfair behavior. Jill has been in contempt of court many times and still nothing is done. In court, Jill testified that everything is hers...all hers; at which time Judge [redacted] informed her that Arizona is a community property state.

Judge [redacted] seemed to be fair until she made the decree about our divorce. Her decree came shortly after returning from vacation at which point, nothing has been fair. She ignored a Wells Fargo appraisal on our marital residence and accepted all of Jill's comps. Jill has sold only a few properties compared to my 30 years of experience. Based on this experience, I have an expertise for pricing properties. I have bought and sold hundreds of homes for both my personal investment, as well as that for my clients. I provided fair and accurate comps, not to mention a professionally prepared appraisal, all of which were ignored. Apparently, a person (wife) can plan, prepare and file a mean, greedy, and heartless divorce and be supported by a woman judge. All throughout the court hearings, Judge [redacted] had troubles keeping up with the testimonies and had to be corrected by the attorneys on several occasions. Looking back she needed a vacation, I just wish she would have carried out the decree when the testimonies were fresh in her memory and not upon returning from vacation.

The QDRO was completed and I was informed numerous times that Judge _____ was going to sign off on these documents. These \$400,000 +/- in funds are still being held up even after it was determined how the funds were to be dispersed. Is this some kind of retaliation?? I am now losing my house because of these funds being detained and for a reason that is beyond my grasp. Since the marital residence was built with comingled funds, I am due roughly \$500,000 +/- as determined from the value at the time of separation.

All I have ever asked for was my share of our belongings and those belongings that were mine prior to getting married. I now ask that this decree and QUDRO appeal be investigated to ensure that a 50/50 split of marital property is maintained. If all is fair in this deal, then let the tables be turned...let me live in the North 27th Place property (estimated at \$1.5M with \$300k in upgrades) and I will reimburse Jill for the sales of the two rentals that only yielded \$28k after repairs, extensive rehab and loan payoffs.

Jill's motives have been premeditative and Judge _____ has miscalculated the figures pertaining to our decree/appeal. All I would ask is that you look into the decree and appeal that is currently before the court that Judge _____ oversaw. Our case number is FN 2008-

I look forward to hearing from you on your findings/actions. I can be reached at

Sincerely, .