

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-298

Complainant: No. 1455110937A

Judge: No. 1455110937B

ORDER

The complainant alleged a superior court judge admitted engaging in ex parte communication with opposing counsel, but refused to grant a motion for change of judge based on that contact. He further alleged the judge was unfair in holding him in contempt, but not his ex-wife, and that the judge made an erroneous ruling that resulted in him losing custody of his children.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant and the judge's response, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: January 11, 2013

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on January 11, 2013.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2012-298

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 11/2/12

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

JUDGE VIOLATED SEVERAL ETHICS.
ON MAY 9TH, 2011 AS STATED IN OPEN COURT HE HAD PREVIOUSLY HAD EX PARTE COMMUNICATIONS WITH OPPOSING COUNSEL AND DID NOT GRANT A CHANGE OF JUDGE FOR RIGHT BASED ON THAT COMMUNICATION. THIS COMMUNICATION ALSO LED TO HIM NOT FINDING TO DISMISS THE CASE BASED ON CONTEMPT BY THE OTHER SIDE. ADDITIONALLY, HE DID NOT SANCTION OPPOSING COUNSEL FOR EX PARTE COMMUNICATIONS WITH PARENT COORDINATOR IN OUR CASE AS STATED IN A JULY 15TH 2011 REPORT FROM OUR COORDINATOR. ON NOV 12TH 2011, JUDGE HANDED DOWN ORDERS THAT DID NOT COINCIDE WITH HIS FINDINGS OF FACTS FURTHERING THE OBVIOUS BIAS TOWARDS ME AS A FATHER WITH CUSTODY OF MY CHILDREN. ON APRIL 18TH 2012 HE HANDED DOWN AN ORDER REVERSING MY SOLE LEGAL AND PHYSICAL CUSTODY AND FINDING ME IN CONTEMPT AFTER VIOLATING MY DUE PROCESS RIGHTS BY NOT ALLOWING ME TO PRESENT MY CASE AND HAVING MY WITNESS REMOVED FROM THE COURT ROOM BY DEPUTIES

PG 1

(Attach additional sheets as needed)

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2012-298

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date:

11/2/12

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

(CONT) PAGE 2

THIS ONLY GOES TO SHOW THE COMPLETE PREJUDICE THAT JUDGE HAS TER A FATHER WITH CUSTODY. HE FOUND ME IN CONTEMPT FOR IMPROPER ORDERS WHILE 6 TIMES THE OPPOSING SIDE SHOULD AND WAS REQUIRED BY LAW AND ORDER TO BE HELD IN CONTEMPT AND SANCTIONED