State of Arizona COMMISSION ON JUDICIAL CONDUCT

	Disposition of Complaint 15-036
Judge:	
Complainant:	

ORDER

The complainant alleged a superior court commissioner improperly issued a protective order and was biased against him.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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.

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

Dated: February 18, 2015

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer Executive Director

Copies of this order were mailed to the complainant and the commissioner on February 18, 2015.

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

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

FOR OFFICE USE ONLY

2015-036

COMPLAINT AGAINST A JUDGE

Name: Judge's Name:

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

have been involved in a case regarding my I have been self represented in this matter up against this small town heavy hitter attorney. I cannot afford counsel, it has been difficult to say the least. After months of litigation my ex-girlfriend sought and received a protective order. She made numerous claims of stalking and harassment. These were unsubstaciated claims simply conveyed as "bullet points" on paper. The Judge felt it would be appropriate to issue this order without any actual testimony. The Plaintiff in actuality never contacted law enforcement regarding any of this alleged behavior. The judge rubber stamped it, no evidence, no testimony. I have included a copy of the record of the ex-parte hearing. This judge in my opinion broke the Second Cannon of judicial conduct. You will clearly see he creates the appearance of preferential treatment and brings the judiciary into disrepute. He solicits from the bench asking the Plaintiff if there are any female doctors that practice at the Plaintiff's doctors office. If you view carefully you will also see he is actually allowing opposing counsel to run the courtroom. he also and most paramount did not take into account the fact that there is a standing order regarding our and he issued a protective order for my based on the subjective statements and opinions of the application of cologne a clear violation of his authority under the Arizona Rules for Protective Orders (issuance of). He has also never ruled on my behalf He rubber stamps every request of opposing counsel and never rules in my favor I understand I am not an attorney, but I would ask the Board to consider this judge was a practicing family law attorney here in and is very familiar with opposing counsel and she always seeks protective orders to gain the upper hand in her cases. since The main issue is I have not seen my and he had no reasonable

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cause to issue the order regarding A subjective opinion on cologne with mγ what father has never put I disagree on with the whole order, but take serious issue with the issuance and the manner it was issued and no testimony not just claiming all statements are true and correct, at least ask some questions regarding some of the incidents that were alleged and gauge the Plaintiff's reaction and also ask a key question, if you were in so much fear of the Defendant, why not contact law enforcement? I work in law enforcement and they knew that by obtaining this order and if i fought the order and invoked I would lose my employment. My career would be over, therefore based on not being able to afford counsel and knowing that this judge and attorney have a close relationship I would not risk contesting the order. Also I am glad I did not attempt to do so based on a viewing of the record it seemed like a big party in that courtroom. He seemed more interested in "Shmoozing" with the ladies than obtaining the facts. I wouldn't see what female doctors would have anything to do with the safety of the Plaintiff and and it creates the appearance of impropriety. Here in the system is incestuous and it is difficult for a litigant to get any justice. I would ask the board to keep in mind this is a simple parenting time case not a Court argument. I feel I have been treated with extreme Special Action, or a prejudice and have no shot at a fair hearing regarding this matter and is suffering and so are my that miss there over a the misconduct of the other parties in this matter I will inclose any and all materials that substantiate my claims and support my position i would hope the Board would agree.

Addendum Statement

When I made the statement that there was a standing order it was in regards to a parenting time and legal decision making order adjudicated by the same judge on There were never any incidents of domestic violence or child abuse, no allegations and no documentation. The Plaintiff never sought medical attention for the child based on any incidents regarding his father (myself) and in the least the application of cologne this is a known rite of passage such as shaving cream, cologne and I was even teaching him how to brush his teeth, teaching a child hygiene does not constitute child abuse.

I know it has no bearing but there is a lot of emotion in a case like this and this judge violated his authority and created the appearance of impropriety there is no way a third party could view the record and not in the very least see the appearance of favoritism. It was also an ex-parte hearing that in my opinion is actually a Fourteenth Amendment violation and there should be changes and again in the very least more care and maybe some actual testimony to gaugue the honesty of the statements.

I ask the Board to review this in good faith and this is not a personal vendetta, but I have received no justice in a simple parenting time matter. I am almost old have custody of that reside with me and have a career and have never harmed nor stalked and harassed my A simple viewing of all of the materials I have submitted will clearly support my position.

Thank you,

Respectfully,

Addendum Statement

There are two more noteworthy issues, I am in good standing with my agency, have never received any adverse disciplinary action in an career and on another note when my was in court not testifying, but being coached as to how dangerous I am, nobody asked where the was at. If you can guess, yes he was with safe and secure. This is a joke and this attorney always pleads her cases this way I have contacted the Bar times regarding her conduct and outright lies.

Thank you,

Respectfully,