

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-162

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against him, refused to accommodate his disability, and made erroneous rulings in a family law case.

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.

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

Dated: August 19, 2015

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on August 19, 2015.

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

History

Update: amended version. In his latest act of non-Judicial conduct, Honorable on or about When
 was unable to attend court because up the night before. got a call
 from the hearing, The call consisted of father explaining that his up the night before. Judge then
 became and then began to shout at for interrupting him. wasn't interrupting him, he was
 merely trying to inform the judge, or remind him that is and for
 court for the on a matter that has waited to address for over But again,
 did not get the chance to speak and be heard. Judge hung up on The court clerk called back.
 They asked for proof of hearing disability which he had mentioned and informed the Judge of several times.
 Then Judge wrote in the minute entry that was sworn in and testified. That is a Flat out LIE. matter
 was once again vacated and they carried on court proceedings without father present. That is as unconstitutional as it
 gets.

HONORABLE

MISAPPLICATION OF JURISDICTION

A account of judicial misconduct and violation of rights therein

14th amendment Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The state does not own the was born in wedlock which makes an equitable parent partner and he has made every effort possible to be an advocate for well-being and trust. The and child have a close bond and should not be separated by inequity and the order that is still withstanding and should have never been in place to begin with, which has caused great hardship. Honorable is not immune from

accountability when he does things outside of his jurisdiction, and should reimburse for a number of things. party will discuss that later in the final summary.

3

This is a factual account and commentary on the first phase of the systematic removal of a good rights. Mr. is being tormented and Harassed by a county Judge. He needs your support to end this bitter endless struggle which should not be happening.

In and entered a consent and Agreed before a judge on terms and there was an order set forth by Judge which was a fair and equitable divorce. paid for it. Mother signed it under no duress or coercion and upon signing the parties forfeited their right to trial on these topics later. End.(or at least it should have been)

Set forth by Judge on CLEARLY outlined the following terms: No SUPPORT of ANY KIND.

No Custodial Parent

No Inequity, All child care costs split evenly.

And that was a contract. under the Protection of law and the constitution of the USA.

In this contract both parties signed away their right to contest custody or child support.

The contract of dissolution was presided over by Honorable

*Jurisdiction violations too many to mention while on duty as a Judge and overseeing case# and with respect to case# v.

**Due process violations during hearings and/ or trials

*** inequal application of protection by law. When parallel to case#

Evidence to prove That Honorable has failed to follow due process* while acting as a Judge** (Multiple incidents) and created unnecessary delays causing obstruction of Parenting rights and Financial duress over the course of case#

Mr. submits:

Court

Respondent:

1. Rules that unarguably have been broken in reference to his either conduct in a judicial forum either by order when speaking in a court proceeding acting as a judge.

A. Post Decree Modifications:

A. Modification or Enforcement of Prior Orders: General Provisions.

1. A party seeking to modify or enforce a court order shall file a petition with the clerk of the court setting forth with specificity all relief requested, and pay the required filing fee. Except as to petitions filed by the state in Title IV-D matters, all petitions to enforce or modify shall be under oath. The petition shall indicate, at a minimum, the nature of the proceeding, the estimated time for the entire hearing, and the relief sought.

2. All petitions to enforce or modify a prior order of the court shall set forth the pertinent portion of the prior order, the date the order was entered, and the name and location of the court that entered the order. In the event the pertinent portion of the prior order is so voluminous as to make it impractical to include it in the petition verbatim and the order is contained in the official court file of the case, the pertinent portion of the order may be incorporated into the petition by reference.

3. The parties in all post-decree/post-judgment petitions, motions and documents shall be denominated as they were in the Decree or Judgment. The term "applicant" as used in this rule refers only to the petitioner or respondent who is filing the petition to enforce or modify.

4. Except for petitions to filed pursuant to Rule 91(D) or 91(E)(2), and unless a different procedure is established by local rule, the applicant shall submit to the assigned judicial officer the original and three (3) copies of an Order to Appear, three (3) copies of the Petition showing evidence of being filed with the clerk of the court, and by the applicable provision of this rule. The clerk of the court shall file the original Order to Appear when signed by the assigned judicial officer.

5. Whenever an affidavit of financial information is required by this rule, an affidavit substantially similar to Form 2, Affidavit of Financial Information, or such other form permitted by local rule of the Court in which the matter is pending, shall be used.

Notes: Rule 1 was never observed by petitioner or respondent or court record There was no request for relief by mother. She had lost her parenting rights prior to the date of and was asking the court to grant her parenting time back. In had assumed custody while mother under as ordered by Honorable in response to Petition for Emergency Custody in about a year after the was final. So Ruling on and on was out of his jurisdiction and therefore not a judicial function. Since A. Mother never described a problem, need for modification, or in any way described relief for these issues. and Those matters had already been decided and settled as seen in my original divorce by the Honorable has provided a copy The hardships caused by the constant battle to get Judge amend the court order giving mother legal decision making authority include loss of his home, income, all savings and his health in the process The Order should be completely VOID and father will not accept Judge non- compliance with the law of this country and state of Arizona to give him his due process and de-falsify the claims against Taking to stop a bad order of assignment is no accident.

In the following order Judge has realized was not going to leave the issue rest, and I have concluded that Judge tried to make it look like a procedural error which holds zero accountability. The italic text highlighted red is a statement explaining the reason for ruining life and how it accidentally happened relieving him of any responsibility. Yet he did not make any effort to reimburse or order the reimbursement of his money. Instead he

punished *Also note His description of father's original document, "Petition to parenting
time and That is not accurate. never filed such a document until several months afterward.
Later, in the highlighted part Judge describes how it was a procedural error on the part of the parties as to
the reason the "error" was made. Then in the there is more blaming of his "error" on other
judges and lack of correct procedure. That is why I have brought this matter to your attention, Judge blatant and
unfair abuse. I am afraid he has been undermining relationship with his Father fears that he
will to this unjust judge's decisions.

The order reads:

Docket Code

Page 2

Procedural Background

On the parties entered a

On page 3 the Consent Decree states:

Both parties are aware that pursuant to the guidelines,

Father would be required to pay a

to Mother. With full knowledge of this, the parties agree to deviate

from the guidelines. They agree that the deviation is in the best

interests

At that time, the parties agreed that it was in the

that neither parent

owed the

On filed a petition with the Court. The caption of the petition, a

1. preprinted form used in the Self-Help Center, read, "PETITION

CUSTODY, PARENTING TIME

" Although

child support was

referenced in the preprinted caption, it was not the prayer for relief. All was asking was

to modify was custody, in light of investigations, and restrict

time until it was appropriate to reinstate a schedule for Most

noteworthy, did not ask for from in light of request to

shoulder of the costs associated with of the parenting time during

period of disability.

petition was reviewed by Judge who set it for an emergency hearing on

on Judge calendar.

On Judge conducted an emergency hearing in this matter. Judge

passed the matter over to Judge who had another petition involving and

another of which was scheduled for another emergency hearing on

Neither parent requested, nor did Judge address, any issues as to

obligations owed from to the other. As of that date, was shouldering

of the cost associated with of the

The following day, on Judge conducted an evidentiary hearing

on this matter, as well as an evidentiary hearing on other matter involving her other

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PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

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REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**