

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-165

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge used inaccurate language in his ruling and issued a delayed ruling 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(a).

Commission member Peter J. Eckerstrom did not participate in the consideration of this matter.

Dated: July 27, 2016

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on July 27, 2016.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.  
I declare, under penalty of perjury, that the foregoing information and the facts I have provided  
upon which my allegations of judicial misconduct are based are true and correct.  
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Dear Members of the Commission:

I submit this written complaint against the order issued by Judge \_\_\_\_\_  
on \_\_\_\_\_. This complaint is not to contest Judge \_\_\_\_\_ decision,  
but the accuracy of the contents written in his Ruling Under Advisement. The written publication  
is not courteous, dignified or instill public confidence. Judge \_\_\_\_\_ Ruling Under  
Advisement Order also violates the following rules:

Rule 1.1 states that "A judge shall comply with the law, including the Code of Judicial Conduct."

Judge \_\_\_\_\_ presided over my case in \_\_\_\_\_ in the \_\_\_\_\_  
The case number is: \_\_\_\_\_ changed from \_\_\_\_\_  
On \_\_\_\_\_, Judge \_\_\_\_\_ issued a Ruling Under Advisement Order  
containing false statements and misrepresentation of material facts.

Specifically, Judge \_\_\_\_\_ Order led the public to believe that \_\_\_\_\_ relatives had her  
detained for a psychiatric evaluation. Court recording will reveal that the above statement is  
inaccurate. \_\_\_\_\_ completed the petition for involuntary psychiatric  
evaluation and signed \_\_\_\_\_ name. During the  
hearing, I submitted sworn testimony from my relatives proving that neither \_\_\_\_\_ nor  
completed or signed a petition to commit me for an involuntary evaluation.

Judge \_\_\_\_\_ order indicated that the court received "voluminous" medical records from  
and \_\_\_\_\_. The information is inaccurate  
and misleading. \_\_\_\_\_ owns \_\_\_\_\_ and are one  
and the same. The statement gives the false impression that the court received medical records  
from \_\_\_\_\_ and \_\_\_\_\_. The court received medical records  
from \_\_\_\_\_ only. The order also failed to state that the court requested  
documents from \_\_\_\_\_. The documents from \_\_\_\_\_ took over a month to  
arrive at the court which caused significant delays. The order gives the false impression that the  
delay in the Judges decision was for reasons other than the delay in the arrival of medical records  
to the court. Furthermore, the Petition for Psychiatric evaluation was

prior to a hearing. Therefore, the only document the court should have received from is the

The comment

Whistleblowing about illegal activities and misconduct by the " is false. My department was described as " informed Judge that was given an attorney to initiate frivolous court cases against her. kidnapped from school on the day that I went public with allegations against the was not authorized, nor had he ever picked up from school in the past. I was detained by the Police Department hours after I reported for kidnapping. The following day, filed the petition claiming that I abused and neglected I also informed Judge during trial that I had a recording of threatening me of the financial damage he intended to cause and that I should "

" The recording was not played since Judge said the recording needed to follow the rules of evidence. However attorney presented evidence at trial that I had not seen before.

also claimed that his attorney was representing him for a favor, yet sought reimbursement of attorney fees from me. The above and other circumstances that arose at the hearing would lead any reasonable person to believe worked with ( who currently works at ) to file a SLAP suit. Judge ruling misleads the public into thinking conclusions are due to paranoia instead of actual and circumstantial evidence.

During the trial, I notified Judge that retaliatory suit was intended to fabricate evidence for upcoming litigation against . The inaccurate commentary could have an adverse impact on my case ) which was filed in Federal Court on

RULE 2.2. states that Judge must act with Impartiality and Fairness.

Judge wrote that he considered medical records from despite disclosure that worked for and knew the doctor who completed her evaluation. A clear conflict of interest. also notified Judge that from diagnosis was inaccurate and meant to fabricate evidence for upcoming litigation against request that appear in court and be cross examined on his diagnosis before the court considered his diagnosis. was not given the opportunity.

RULE 2.6. Summarizes a Judges Obligations to Ensuring the Right to Be Heard

entered a written order available to the public containing false and humiliating diagnosis that [redacted] was Psychotic and Bipolar without giving [redacted] the opportunity to contest the accuracy of the diagnosis. [redacted] has never been psychotic nor bipolar.

RULE 2.10. Judicial Statements on Pending and Impending Cases

(C) A judge shall require court staff, court officials, and others subject to the judge's direction and control to refrain from making statements that the judge would be prohibited from making by paragraphs (A) and (B). Judge [redacted] was informed of upcoming litigation between [redacted]. The public statements in Judge [redacted] Order are incorrect and could impact decisions on [redacted] case now pending against [redacted].

Article 2, § 11 of the Arizona Constitution requires that "Justice in all cases shall be administered openly, and without unnecessary delay." Article 6, Section 21 provides that "Every matter submitted to a judge of the superior court for his decision shall be decided within sixty days from the submission thereof. The supreme court shall by rule provide for the speedy disposition of all matters not decided within such period." See Rule 91(e), Rules of the Supreme Court; A.R.S. § 12-128.01. In addition, A.R.S. § 11-424.02(A) prohibits a justice of the peace from receiving compensation if a cause "remains pending and undetermined for sixty days after it has been submitted for decision." On [redacted] submitted evidence to the court proving that the allegations made by [redacted] on which [redacted] based his case were false. Along with the evidence, I filed a motion to dismiss the case. Judge [redacted] ruled to [redacted], but to date, has not ruled on my request to dismiss the case.

WHEREFORE, [redacted] respectfully ask the commission to order the correction of the false and misleading statements within Judge [redacted] Order of Ruling under Advisement. AND order a speedy disposition of my request to dismiss the case.