

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-327

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge violated his due process rights in a family law matter.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 a judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officer 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 Gus Aragón did not participate in the consideration of this matter.

Dated: February 20, 2019

Copies of this order were distributed to all appropriate persons on February 20, 2019.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2018-327

**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.

The legal requirement of Due Process has not been achieved on the Family Law Bench of the Court because of things Judge \_\_\_\_\_ has (not) done.

My complaint is presented via analogy with the \_\_\_\_\_ profession since I have no legal qualifications. The analogy is:

*Life, Liberty & the Pursuit of Happiness is to compliance with law under the United States Constitution AS a flourishing economy is to compliance with requirements.*

*Thus demonstrating compliance, respectively, is a necessary means to substantiate that citizens and stakeholders can remain confident the United States will remain free, orderly, peaceful and prosperous.*

*Judicial process is the means the courts use to demonstrate legal requirements, in the form of codified law, of Due Process. A person can incur harm, a Due Process violation, when judicial process is compromised. This offends the rule of law because opinion has been used to determine the threshold of a legal violation, in the stead of law, to establish the appearance of Due Process.*

*\_\_\_\_\_ is the means \_\_\_\_\_ use to demonstrate compliance with legal requirements, in the form of a contract, for their products. A customer can incur harm when opinion has been used to determine whether requirements have been validated, or significant decision made, in a manner that establishes the appearance of Due Diligence under contract.*

*So the purpose of the processes, in both situations, is to satisfy the law under the rule of law as opposed to under the rule of people. That requires written evidence to substantiate and, then, either reward or hold the responsible party accountable. There is no number of personal opinions that could collectively serve to substantiate the same as though more people have authority approaching that of codified law.*

*Failing to honor at least the intent of the respective processes, should that become standard in professional practice, would be tantamount to mocking everything that is good, right and true in the American way of life. It would allow rhetoric of the day to trump the rule of law and undermine prosperity in the United States. It would tarnish the hopes that citizens may have in the American Dream.*

*my main point is to highlight the significance of not expediting process in matters with potentially severe consequences*

Consider an example from the engineering part of the analogy. The Standard \_\_\_\_\_ is designed to \_\_\_\_\_ the US from \_\_\_\_\_ so it's in the best interests of the US for the \_\_\_\_\_ to function properly. The thousands of requirements for the \_\_\_\_\_ and its components -- airframe, electronics, software, etc. -- must be validated to support many subsequent decisions culminating in a decision to sell the \_\_\_\_\_ to the customer. The most mature process discipline is appropriate.

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However the Deputy \_\_\_\_\_ apparently intended to influence \_\_\_\_\_ process via his opinion and those from multiple recognized experts [Exhibit \_\_\_\_]. No reasonable \_\_\_\_\_ would do that for the \_\_\_\_\_ given the \_\_\_\_\_ was an immature device; it was approximately \_\_\_\_\_ years old. Due Diligence was absent but the project was assigned to me and reflected my perceived competency in the organization. It was retaliation [\_\_\_\_\_] for my objections to false claims, made to obtain a \_\_\_\_\_ contract for the \_\_\_\_\_ when funding was tight, in year \_\_\_\_\_. That contract was lost as well as future contracts for the entire \_\_\_\_\_ program. Subsequent retaliation adversely affected my \_\_\_\_\_ and even \_\_\_\_\_

**Complaint:** Judge \_\_\_\_\_ allowed Due Process [Exhibit \_\_\_\_] to be circumvented in a manner not unlike my former employer arranged for Due Diligence to be circumvented for allegations against me [\_\_\_\_\_] *from in process of Discovery*

1. Judicial Process was not respected.
2. Judge \_\_\_\_\_ trusted verbal evidence, based on opinion & personal feelings, without cross examination

3. Judge \_\_\_\_\_ issued orders w/o reference to any statute, as the basis for the order.  
Thus my Due Process rights were violated.

	Unfair Action	Evidence Source
1	Used evidence, based solely on opinion, to rule against me	Items below
2	Cross examination of my wife, regarding matters noted herein, was circumvented. I planned to inquire about the following events:	See events listed in Exhibit Compare Minute Entries per Exhibits
3	Granted an order of protection for my _____	Case (dismissed) Case - substantiation v/a opinion
4	Granted an order of protection for my _____	Case (dismissed) Case - some substantiation Letter from based solely on opinion
5	Granted opposing counsel's request for an order of protection for my _____ and my _____	Case, and cumulative evidence above
6	Granted opposing counsel's request to order _____	Case and cumulative evidence above
7	Granted opposing counsel's request to order _____	Case and cumulative evidence above

- 1 False claims I had alleged for the \_\_\_\_\_ years prior, were obviously false claims.
- 2 I alleged potential false claim per \_\_\_\_\_ Act in a different context of the \_\_\_\_\_ program. The company response was hostile. The \_\_\_\_\_ / \_\_\_\_\_ later concurred with my technical points.
- 3 My doctor had made two medical accommodation requests that were not answered. The company demanded, in a hostile manner, I see a \_\_\_\_\_ they had selected \_\_\_\_\_ years later.
- 4 Complete substantiation is beyond the information herein. But for one example, see Event \_\_\_\_\_ per Exhibit \_\_\_\_\_