

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 06-184

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Complainant: No. 1290610641A

Judge: No. 1290610641B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no misconduct on the part of the judge. The issues raised are solely legal or appellate in nature. If a judge makes an incorrect ruling or misinterprets the evidence, the correct remedy is by appeal to a higher court with appropriate jurisdiction. There was no evidence of gender bias against the complainant.

The commission is not an appellate court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rule 16(a).

Dated: July 18, 2006.

FOR THE COMMISSION

/s/ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on July 18, 2006.

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

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Judge [ ] attributed false statement directly to me which I did not make regarding custody which resulted in punitive damages totaling thousands of dollars. It is difficult to discern what would motivate a judge who is supposed to be impartial to assign words to a person which they did not speak and then use those words in a punitive judgment against them. Given the judges gender there appears to be only one conclusion. She also failed to appoint a parenting coord. (family court advisor)

Specifically Judge [ ] states:

"That Father told this court that the children wanted to spend equal time with him when the reality is much different".

This statement is so patently false that I am enclosing documentation in this correspondence testifying to its total lack of credibility.

Judge [ ] asked me "Do you want custody of the children" I said yes!

DOCUMENTARY EVIDENCE

1. The [ ] hearing before Judge [ ] contains no such statement by me. (CD enclosed)
2. The custody evaluator Dr. [ ] includes no such statement by me. [ ] evaluation further misrepresent facts which bring his judgement into serious question and is being challenged by me to the psychology board. ([ ] evaluation and response from attorney enclosed)
3. [ ] during this whole process ignored her own order by failing to assign [ ] as parenting coordinator until after the trial in [ ] and relied exclusively on [ ] for information regarding custody. (CD of [ ] (Order [ ])
4. The trial contains no such statement by me. I have reviewed copies of the CD and if you wish to examine them I will be glad to supply them upon request.

On the [ ] CD Judge [ ] ordered equal access to the children although attorney [ ] argued against it without reason. Judge [ ] demonstrated her bias by stating this was to be a trial period for Me (meaning me). The judge provided her own testimony for the mother as caregiver without questioning the principals. Mother was apparently not on trial although Mother had oldest son later sent to jail.

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Judge [ ] ordered joint custody, but initially signed both Social Security checks for the children (earned by husband) to the wife and changed this only when challenged by the attorney for [ ]. Each parent was assigned [ ] dollars for two children. I sent [ ] dollars a month to [ ] and spent [ ] for each of my children every month. There were no issues of parental fitness. Judge [ ] said "equal access is fine with me". As indicated on the CD I had to purchase many items for the children. The ex-wife had removed and continued to remove furniture and all the childrens possessions from the home. This was and is a clear violation of the statute. [ ] was assigned to oversee this removal, but failed to comply with the promise she made to the court resulting in future problems, but this also was ignored by the court. I made pictures of the devastation this woman left behind (copies enclosed).

I took the money Judge [ ] assigned from my social security and purchased beds, bedclothes, tennis lessons, medical, and clothes food and other necessary items in accord with Judge [ ] order and provided a comfortable environment for them.

In [ ] I filled out the SS forms from the federal government indicating expenditures to conform to the order. (copies enclosed) I wanted the boys to have the opportunity to decide on custody based on experience.

This never happened because by the time [ ] saw Dr. [ ] he was on drugs and wanted to stay with mother and younger brother followed his lead [ ] while in his mothers custody was arrested and sent to [ ] for incarceration.

After meeting with Dr. [ ] neither boy was consistent about observing custody because apparently [ ] told them they did not have to observe custody following the court order. [ ] notes in the enclosed report that [ ] observed custody while [ ] did only 50% of the time. This was a period from [ ] (over 4 mos.) [ ] still observed custody on weekends and some weekdays until the trial. It is clear mother decided when because [ ] is [ ] and this was a schedule set up by an adult. [ ] downplayed [ ] drug usage. [ ] was never assigned and never brought in in any capacity until [ ] by the court after [ ] report was used as the singular basis for decision making although [ ] was assigned in [ ] by Judge [ ] (CO)

Dr. [ ] report and the request from [ ] Attorney, [ ] requesting a re-interview was apparently dismissed by [ ] does not sustain the quote [ ] attributes to me in her decision. It is not in his report.

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Further, the trial transcript does not indicate the assertion Judge [ ] ascribes to me. I reviewed these tapes and would be glad to supply them if there is some question.

In review, I have followed every order of the court prior to the final decision of [ ] My ex-wife and children failed in this regard.

Judge [ ] resulting action is a retroactive decision of temporary orders granting wifes request for [ ] dollars in social security checks which father kept (sic) since [ ] "Wife shall be givenx and equalization credit of [ ] dollars in the final accounting".

This money was not "kept" (sic) but spent to provide food, housing beds, medical, tennis lessons and clothes as directed by Judge [ ] in her temporary orders.

Now comes Judge [ ] saying I misrepresented or lied to her in my statements. There is not a single scrap of evidence in any of the proceedings which justify her statement whe attributes to me. Not in [ ], not in [ ] report, not at the trial.

This judge needs to be censured and this judgement she made is totally unjust and should be rescinded. Surely there is some accountability in the judicial system.

I attempted to get my attorney to bring this to the attention of the court but it is increasingly clear that my attorney is intimidated by Judge [ ] because of her authpbity. I enclose copies of my request to Attorney [ ] which went ignored.

Further, Judge [ ] instituted a 2nd punitive fine of \$ [ ] dollars against me for actions attributable only to my attorneys further demonstrating her unreasonable bias in this case.

I apologize for the form of my protest, but when my wife took everything from the house in violation of the law (which was never resolved) she took both computers.

Thank you for your consideration and I look forward to hearing from you.

Sincerely

[ ]