

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-251

Complainant: No. 1295310560A

Judge: No. 1295310560B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. If a judge makes an incorrect ruling or misinterprets the evidence, the correct remedy is to appeal to a court with appropriate jurisdiction.

The commission is not an appellate court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: November 16, 2006.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on November 16, 2006.

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

CJC-06-251

COMPLAINT AGAINST A JUDGE

1. Multiple times beginning [redacted] asked the court to be dismissed from my case (Exhibit A). The Court refused. (In [redacted] I discovered [redacted] [redacted] concealed the fact that he was under State Bar investigation and did not want to represent me.) (Exhibit B). He kept saying the court would not relieve him of the case. Because of this [redacted] was negligent in his job and misled me. I did not receive proper representation because:

- A. He would not give me an address for paper work, everything was done by phone or e-mail, he refused to give documentation.
- B. He never gave me receipts for my payments. (see attachment from State Bar)
- C. Multiple letters were returned from clerk of the court because [redacted] did not have a valid mailing address with the court. (Due to the [redacted] ASB investigation, he was eluding the civil lawsuits.)
- D. He did not even file my court ordered certificate of completion to my parenting class (Exhibit C).
- E. He was absent from the [redacted] hearing (Exhibit D).

2. The Plaintiff's lawyer [redacted] filed in Honorable Judge [redacted] court that both parties reached an agreement. He took advantage of [redacted] situation to gain advantage for his client (Exhibit E).

3. On [redacted] Judge [redacted] signed a decree of dissolution and some other orders which were also incorrectly stamped by the court clerk, [redacted] (Exhibit F). As of [redacted] this case information is still not corrected.

4. On [redacted] [redacted] made a corrective motion at this court to change some of the orders (signed on [redacted] Due to the minutes and signature of judge on [redacted] the court knew it wasn't an error. At the time it was an order and I, [redacted] was following the order. Without myself or [redacted] [redacted] receiving any notification, Honorable Judge [redacted] signed this motion. I had to learn this from a third party who had been taken off of the case (Exhibit G).

5. The above corrective order was filed in [redacted] but Judge [redacted] did not sign it until [redacted] I was not notified of this order until the end of [redacted] and I had to find out from a third party. All this time I was carrying out the previous order.

6. On [redacted] based on probable cause from the ASB, my evidence, and the inequities of this court mentioned above (which I have just now learned) I filed in Honorable Judge [redacted] court the Respondent's Motion to Set the Judgement Aside (Exhibit H).

7. On [] when I hadn't heard from the court I filed another motion Requesting an Accelerated Ruling on Respondent's Motion to Set the Judgment Aside. This was sent to the plaintiff by certified mail along with the [] motion (Exhibit J).
8. On [] Honorable Judge [] ordered a hearing for a Resolution Management Conference for [] in spite of the fact the Defendant presented probable cause at the beginning of the hearing. Because the judge created this gray area, it makes it very difficult for me to retain a lawyer (Exhibit K).
9. During the [] hearing Judge [] ordered that only evidence that both parties agree to can be submitted. There is no way the truth can be told if the submitting of evidence is denied by anyone. **[Who would agree to condemning evidence?]** (Exhibit L).
10. In the [] hearing my request for custody evaluation of both parties was denied. It was stated that this was because there was domestic violence involved. Then the judge stated, "I am opposed to violence." The Judge never even asked who the guilty party was, or if there was even any evidence to substantiate this claim. It was assumed that the violence was on the part of the father. I was given no opportunity to present evidence showing that the mother was equally guilty and it can be proved by the police reports and DUI, DUI's.
11. At the [] hearing, I objected when the Plaintiff under oath said that she had not received the [] motion to set aside the judgement. I held proof that she received both copies that I sent (Exhibit M). I was ignored by the judge.
12. At the completion of the [] hearing after the adjournment, the Judge talked with the Plaintiff where other people could hear. This conversation was off the record and it is unethical for a judge to give legal advice only to one person.

Dear Sirs, I would ask you to please check into all of these inequities. Justice has been thwarted and withheld in this case for over two years. I have made every effort to go through the proper channels and do things patiently and correctly, but it has accomplished nothing. In all this time I have not been allowed to see my three minor children and in reality the evidence is on my side. Oh, that someone would look at the evidence!