

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-231

Complainant: No. 1317610553A

Judge: No. 1317610553B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. A party sent in a letter which the judge saw immediately prior to the hearing and provided to the complainant, allowing the complainant time to respond. Although this was an ex parte communication, the judge handled it in an appropriate manner. The other issues raised in the complaint are legal or appellate in nature and outside the jurisdiction of the commission. 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: February 4, 2008.

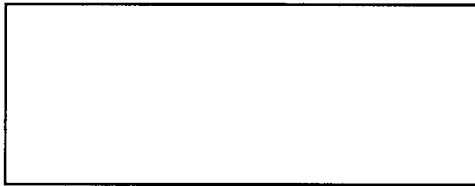
FOR THE COMMISSION

 \g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on February 4, 2008.

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

08/14/07



Ref: Case No. [redacted]
Ref: Case No. [redacted]

AUG 27 2007

Subject: Judicial Misconduct

CJC-07-231

Dear Sir/Madam:

On [redacted] I [redacted] filed a petition for the removal of a personal representative in the Superior Court of Arizona, [redacted] County, (Case No. [redacted]). The personal representative whom I wished to remove, my brother [redacted] in reply to my petition he, [redacted] sent an unsigned letter, which he did not file with the Court, to Commissioner [redacted] of the Superior Court of Arizona, [redacted] County, who had been assigned to the case.

In the letter that [redacted] sent to Commissioner [redacted] he [redacted] made false allegations against me [redacted] involving a power of attorney and our mother [redacted].

Commissioner [redacted] guided entirely by that false accusation contained in a personal (ex parte) correspondence between a defendant and a Commissioner of the Superior Court of Arizona, [redacted] County, then appointed a Guardian Ad Litem for my mother [redacted]. The Guardian Ad Litem [redacted] was appointed by Commissioner [redacted] to investigate improprieties involving a medical power of attorney based on a diagnosis of Alzheimers disease which the letter claims was used to take control of a large portion of the finances of [redacted].

However as of this time, (7) seven months later no results of any such investigation has ever been made known by the Guardian Ad Litem [redacted] in this matter.

Commissioner [redacted] also ordered me [redacted] to retitle property belonging to [redacted] my mother and a divorced woman, back into the name of the Estate of [redacted] (Deceased).

When in fact the real property in question was never in the name of [redacted]. But it was instead purchased by [redacted] while divorced from [redacted] using her name as sole owner of the property and using her own money.

This mistake has now been corrected by another Commissioner of the Superior Court of Arizona, [redacted] County, the Honorable [redacted].

In the months following my filing the original petition for the removal of a personal representative, as a result of Commissioner [redacted] decision to create an entirely separate case, (Case No. [redacted]) based on a fraudulent allegation, My mother [redacted] has had her bank accounts restricted to pay for a Court appointed advocate, (Attorney), a Guardian Ad Litem, Conservator Guardian and a Public Fiduciary all being paid for by my mother [redacted]

The fees of an attorney, a Guardian Ad Litem, a Conservator Guardian and a Public Fiduciary are beyond the fixed income of [redacted] These Court appointed attorneys have begun the process of identifying all of the assets of [redacted] in order to either seize or sell them to reimburse themselves for thier services that were generated by a false allegation.

This situation for now has expanded out of all reasonable proportions through the involment of Court appointed attorneys. [redacted] due to the fact that her accounts have been restricted to pay the Court appointed attorneys, will soon have her gas, electric, water and telephone services turned off which will make the home where she lives uninhabitable.

Had [redacted] been poor and homeless no one, an that's including the Court, would take such a keen and special interest in her. No one is under any false conceptions that all of these things that are being done are being done for money [redacted] money.

Any advice or assistance of any kind that you can give to me to help me correct this act of Judicial Misconduct which has had a severe detrimental impact on my mother my family and myself will be greatly appreciated. My mother [redacted] is an [redacted] year old widow who has diabetes and alzhiemers disease and lives on a fixed income. Therefore I am writing this letter for her.

SINCERELY,

[redacted]