

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-179

Complainant: No. 1367110816A

Judge: No. 1367110816B

ORDER

The commission reviewed the complaint and listened to the recording of the hearing filed in this matter and found no evidence of ethical misconduct on the part of the judges. The complainant disagrees with the court's finding, which the commission cannot change. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: October 16, 2009.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on October 16, 2009.

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

JUL 08 2009

July 4, 2009

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

RE: Complaint against:
Judge
Justice of the Peace
Judge

Sirs:

Circumstances which have been and are now beyond my control compel me to file this Complaint against the three above-cited individuals. They have both individually and together violated the basic standards of American Justice and in so doing have wrongfully injured me and my daughter and my three granddaughters. They have wrongfully deprived me and my granddaughters of our basic civil rights. I have been wrongfully and cavalierly punished by these individuals for something I did not do. What is more significant is the fact that they have condemned my granddaughters to a future filled with fear and loss of potential. This has occurred because these three judges sided with Evil and Injustice, and refused to let the truth be heard in an open and disinterested court.

I trust that I have gotten your attention now, but before I continue let me state outright that your main concern should be for the three minor girls. That these three individuals representing your judicial system have injured these three girls is a fact. Why they have done so is a question I cannot answer; all I know is I would not have acted in so cowardly and incompetent a manner as have these people. I would like to keep my remarks here as brief as possible, but sometimes a few words are just not enough to get the job done.

For one year I have played four-square with the Courts. I put my faith in the Courts, and more importantly I put the fate of my granddaughters in the Courts. The Courts failed them! I will explain fully what wrongs each person did, and I will provide ample documents to show you how I have been wronged and injured. No matter what the outcome of this procedure may be, it will not alter the fact that these are bad judges. They have shamefully violated the very fundamental tenets of justice, humanity and decency. What is their moral sin? They have adamantly refused to learn the Truth! And these are "judges." Not by my definition!

I realize that by now the reader may be saying, to paraphrase Shakespeare, "Methinks the man doth protest too much." Well, he didn't, and I for one am sophisticated enough to know that these three judges have depended upon their expectations that their "alleged" misconduct has been so atrocious and bizarre that nobody could believe this guy. Well, to quote Thomas Hardy, "Though a good deal is too strange to be believed, nothing is too strange to have happened."

When I was served a year ago with a restraining order issued by I immediately sent a written response to the court with a request for a Hearing. I also sent a letter to Judge asking for real-world assistance for the three minor girls caught up in this situation. Please be advised that only a few days prior to this in Tucson, my granddaughter,

was brutally ripped from my embrace by her mother who then dragged her and her sisters upstairs to be placed within the reach of her live-in stranger whose name refuses to give out, and whom she met via the internet after he had lost his job and left his wife and family. I personally saw him stroke the leg of one of my granddaughters, and on another occasion he had the twins on his lap in an easy chair. This was and is of concern to my wife and me, but it was of no concern to these three "judges." I also tried to inform the Court that I believe my daughter may have brain damage from the poisoned water both she and her mother were exposed to at _____ in 1966 and 1969. I do know that these three girls live in fear of their mother; I know this because they told me so directly. I believe them, and that is why I hoped that the judges would urge _____ to get the medical and psychiatric help she needs. I did not get the opportunity to follow up on my requests or suggestions, because I was not allowed to present evidence at a proper Hearing.

My wife and I flew from Baltimore MD to Tucson AZ to attend a Hearing. The Hearing Officer was _____. Words are inadequate to express the contempt I have for her – not on my own account, but on behalf of the three minor girls. I arrived at Court over an hour early and had the opportunity to observe Justice _____. She was going through the typical low-level criminal court procedure, reading from her notes, as it seemed from my vantage point, the customary litany about "rights." She was toadying to assorted drunk drivers, drug users, gentlemen in those bright orange-colored uniforms. Of course, as criminals, they had "constitutional rights." It would be terrible if she found a criminal guilty, and that criminal turned out to be an illegal alien and would be subject to deportation. Had she shown half as much concern for the three innocent minor girls I was attempting to help, perhaps some good could have been done.

Not so! From the start of her turning her attention to the case of Justice _____ showed that she was in over her head; she believed we were in the wrong Court, and she was discernibly eager to get the Hearing over as quickly as possible. She did offer to postpone the Hearing to another day when there would be more time; I agreed, but my daughter wanted the case closed that day, and that is what happened. No witnesses were permitted to testify fully, no cross-examination was permitted. Justice _____ ignored my attempts to show the perjury committed by _____ and _____. In fact, she was so intent upon ending this embarrassment to herself that while I was addressing the Court, she got up in a flurry and started to leave the Courtroom. When I shouted out to her she did stop for a time, but that was it. I told her she was wrong, but she did not want to know the facts of the case; it was easier to pass the buck. Now this, of course, does not show up on the recording of the hearing. I would like to point out to you that experience has shown me that very often one can assess the courtroom situation rather accurately by observing the reaction to court proceedings of the Court Reporter. Of course, she or he cannot say anything about the "boss," but the perspicacious individual can get indications from the reporter's body language and mien. And lest you feel I am exaggerating here, I urge that you listen to the recording of the Hearing. I was much surprised when I received a copy, because I did consider the possibility that the transcript might have been "lost" or "destroyed." This has happened before in some courts; but not in this instance.

Thus, the "alleged" Hearing was a travesty. It should not have happened in any United States or Arizona State Court. But it did, and innocent people have been harmed and will continue to be harmed so long as nobody privy to the true facts talks to the three minor girls. They are being ignored to their detriment. Notwithstanding the lack of integrity and judicial competence at the Hearing, I for one can learn from such horrible and despicable experiences. In appearing in open Court before Justice _____ I could well empathize with a Defendant Jew in a Munich courtroom in 1938. Truth, justice and basic humanity and dignity are "verboten." The Defendant loses. Of course I am fortunate enough to have been in an Arizona Court, and so Justice _____ could not and did not send me to a concentration camp, but she did willfully and wrongfully and quite maliciously condemn the three minor girls to remain in their concentration camp, where they abide to this day.

In a Ruling, dated April 29, 2009, Judge _____ wrote among other things that on August 15, 2008 a hearing was held "at which Appellant and Appellee were both present and had a chance to testify." This is a lie! It is beneath the dignity of any court. Now I will grant the possibility that it was a clerk who wrote this inappropriate boiler-plate statement, and the judge merely signed the Ruling. However he is responsible for the writing to which he affixed his signature; he certainly would hold a witness in a courtroom to this same standard. Listen to the complete hearing transcript, and see how untrue the statement is. If anyone does listen to the recording and does read this Complaint and nevertheless concludes that full and accurate testimony was permitted at this bogus hearing, then that lady or gentleman should not be on this important commission, because she or he is either dishonest or incompetent.

And later in the Ruling the judge has the cheek to further rub salt into my wounds by writing, concerning appeals, that the rules "shall be liberally construed in the furtherance of justice." Yes! This is reality – in the furtherance of justice. Even as I write this I am reminded of the words of _____ to his wife, "Your justice would freeze beer." And tell that to my three granddaughters. And if given the opportunity I could add my own personal inference that if by some fluke the lady, Justice, should wander into the environs of the Courts Buildings on Congress Street, she would wear not only a blindfold over her eyes, but also a clothespin on her nose.

By now I am sure that at least some of the readers are saying to themselves, "Get Who does he think he is, having the nerve to expect integrity of our judges and concern for those brats? I'm not going to jeopardize my job and paycheck for that." So be it; this is real life and not Hollywood. I have already notified Judge _____ in my Motion for Reconsideration, that the President of the United States has recently described what he is looking for in a judge. He wants "someone who understands that justice isn't about some abstract legal theory or a footnote in a case. It is also about how our laws affect the daily realities of people's lives." I do not really know that the judge spent any of his valuable time reading my Motion, but if he did, and up to now he has not responded to it, he underscores my statement some lines later in the Motion where I wrote, "In fact, this entire proceeding from the issuance of the Order of Protection to the present day could be used as a paradigm of judiciary entropy.

Well, there you have it. What I have written is the Truth! And I ask you please not to Pontius Pilate me and ask, "What is Truth?" Truth is History! If a thing happened it happened; if it was said it was said. You can lie about it, you can cover it up, but you can't change it.

It is now obvious to me that the obsessive compulsion in _____ life is to see to it that her daughters never again communicate with me and that I never again communicate with them. Why? Because I love them and like them and enjoy being with them, and they did once, before the "learned judges" stepped in to abet their mother in slandering and libeling me, love and like me and enjoy being with me. For this the Arizona State Court violated both me and the three girls. It sided with two perjurers, _____ and _____

I realize that omnibus paribus unless I live another thirteen years, the girls will not be permitted to see me, and I will not be permitted to see them. However, let it be known now that on July 2, 2009, once in the afternoon and once in the evening the Baltimore County Police were at my door trying to serve me with another Court Order. I am sure that with the economic problems facing the nation at this time both the Arizona Courts and the Maryland Police could be used to better purpose, and the money being spent on another frivolous law suit could be better spent in assistance to the poor and needy. I did not accept the summons and I will not accept it until this Complaint and the accompanying documents and copies to various state officials are in the mail. As of now, I am not under the control of the wicked judges who have ignored the demands of the U. S. Constitution for the sole purpose of blindly injuring an innocent citizen. And I do not wish that for the next thirteen years until all three girls come of age the Police will be at my door at least once a year. This is an embarrassment to me and my wife. One would expect that a judge would have enough common sense and decency to see the absurdity in issuing a

restraining order against a home-bound quasi-cripple who can no longer stand or walk under his own power. Surely, in the eyes of certain judges, I am a physical threat to the safety of the girls and their mother here in Baltimore over two-thousand miles away, while a "stranger interloper" has the de facto control of these girls because they are so intimidated by their mother (think "Mommy Dearest!") that they cannot say "no" to his whims or demands. has gone so far in her unmotherly actions against her own daughters that over a year ago, when let and me know that she would like to have a computer of her own so that she could contact us once in a while and we accordingly had delivered to a computer which cost over \$1,000 (the computer is owned in name, and the understanding was that the computer would be set up in room), nevertheless her mother stole this computer from her own daughter and it is now right by the kitchen telephone for and to use. So much for motherhood and Court protection of the rights of minor children. And yes, I suppose, before you try to fault me on inappropriate use of language, in this particular instance we might just as well have called actions "conversion" rather than "theft," but the result is just the same for

The last salient point I wish to make here now is that the girls are being injured. Their brains will not be fully developed until they are in their early twenties. Neuroscientists now know that the damage to their brains and personalities will probably not appear until the early forties. By then it is too late. I sincerely suggest that someone in a position of authority in the state see to it that at least one person in the Tucson Court System step out of the Middle Ages and advance to modernity. Of course, just as ignorance of the law is not a valid defense in a courtroom, the palpable lack of professionalism and judicial concern for right on the part of the three above-cited judges does not excuse or exonerate them from their wrongdoing.

I pray almost every night that I am wrong about I take about as much solace in the idea that the odds are in the favor of the girls as those unfortunate travelers who were aboard that Air France jetliner must have taken in the statistics that show that air travel is the safest way to travel – as they plunged six miles into the ocean. Have I made myself clear? Do you see my point? I have been advised by a Johns Hopkins professional who works in these kinds of cases that the real tragedy is that the Courts and other branches of government do not want to get involved in such a difficult problem, but so long as the child knows that he or she has at least one person who really cares for him or her, the child will usually be able to face and overcome the untenable situation. However, must realize this and, with the backing of Tucson's Courts, she has seen and intends to see that "her" daughters are deprived of that one person.

Every individual who reads these documents carefully and honestly, and who then does not at least try in good faith to get to the truth of this situation and see to it that the three girls are given the opportunity to give air to their true feelings, especially about and me, is guilty of the same callousness and lack of moral integrity as has been to date exhibited by the three judges cited in this Complaint. This is strong language! I would not let it go unchallenged and unexamined. If I have committed any wrong or injustice in my sincere efforts to act as the paladin for my granddaughters, then prove it and punish me. But the same standard should and must be applied to bad judges. Prove them bad, if so they be, and then punish them! Isn't that fair? It certainly was in the United States of America in which I grew up.

The important thing in this matter is the future mental and emotional welfare of the three minor girls and of their mother. By blindly siding with the mother, these three judges have sided with Evil. Note that I do not blame She is a much better person than she has shown herself to be in these legal proceedings. And perjury is not something to be taken lightly – especially is this true when the results are so heinous to innocent people.

I urge the readers of this Complaint to read fully and carefully the entire case file. No! Although you have proved your endurance in reading this far, I will not also urge you to read the entire text of "Finnegan's Wake" in your spare time. Nonetheless prove me wrong if you can! But whatever you think of me or do to me, please see to it that some disinterested person talks to the

three girls. Let them know that I have not turned my back on them, that the Court has compelled me to hurt them. And have this interviewer interview them adequately and refrain from giving them the bum's rush as did the three judges who are the gravamen of this Complaint to my wife and me during this past year. I am attaching several documents written mostly by me throughout this proceeding. As for the rest, it is available to you. As with d'Artagnan, so with me. "Act well, and let people talk!" My conscience tells me that I have acted well. I now pass the baton to you. The girls came to me for help; I could not get it for them in the Court. They and I now count on you.

Respectfully,

Enclosures

cc: