

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-179

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Complainant: No. 1398010152A

Judge: No. 1398010152B

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**ORDER**

The complainant alleged that a superior court judge made up his mind before hearing testimony and then issued incorrect rulings. The commission reviewed the allegations and found no evidence of ethical misconduct on the part of the judge. Instead of raising allegations of ethical misconduct, the complainant challenged the factual bases for the judge's legal decisions which are outside the commission's jurisdiction. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: August 31, 2010.

FOR THE COMMISSION

\s\ Keith Stott

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Executive Director

Copies of this order were mailed to the complainant and the judge on August 31, 2010.

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

2010-179

### COMPLAINT AGAINST A JUDGE

Your name:

\_\_\_ Judge's name:

Date: ~~7-7-10~~

7-7-10

**Instructions:** Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

I felt Judge \_\_\_\_\_ had made up his mind prior to anyone taking the stand. My ex-wife Leslie moved out of the house while I was at work, and hired my nephew (Matt Parsons) to help her move with his truck. When I came home that evening (with both kids) after work, the house looked ransacked. I immediately took many pictures and printed enough copies for all involved at court. The judge flipped through the pictures "Very Quickly", as if they were of no importance. My nephew (Matt) can testify and verify the manner in which Leslie left the house in. And from then on, I was TRAPPED in the house, having to clean Her mess, and having NO HELP from Leslie with the mortgage payment, of which I had NEVER BEEN LATE ON. I believe Leslie had an obligation to pay her half of the mortgage payment, since our house was an investment of ours, with both our names on the mortgage. I made the judge and court aware of my health and back injury. I showed proof of Doctors bills, co-pays, and all the medications that I take, and the monthly shots I receive in my lower back as well as the costs of all these things. Since Leslie's lawyer accused me of letting the house fall into a state of disrepair, but having no help from Leslie (or attempt to help) my once beautiful yards did lack maintenance, And I feel that Leslie and her lawyers took advantage of my health and back injury to make me look bad in the eyes of the judge. Anxiety (which I have) is a real, very real sickness of which many of my meds are directed. The judge was unconcerned with this.

(Attach additional sheets as needed)

① At one of the first court sessions, Leslie presented a stack of receipts for back-to-school clothes for our kids. Prior to this, she would send receipts home in my sons backpack, and he would throw them away with all his other older already graded homework. This was fact, but Judge \_\_\_\_\_ was not convinced. The Judge ordered me to pay for half (which I did gladly with my income tax money, both federal and state, approximately \$1700.00). After that, the Judge ordered that clothes were to be bought and paid for through child support. However, I continue to be sent stacks of copies of receipts for outrageous amounts of clothes, shoes, sports apparel, ALL of which are Name Brand merchandise. This economy affects everyone, and I feel that Leslie absolutely must scale back on her shopping sprees. I know both our children must have new clothes as they grow, but Leslie must also budget herself. You can't always get everything all at once! I also purchase and have receipts for our son \_\_\_\_\_, but Leslie lets both our children talk her into buying a pair of shoes to match almost every outfit they have. My daughter is too embarrassed to clothes shop with me. As for the economy, it has affected myself in several ways. First, ALL of my Co-Pays have went up. Second ALL

② of my Medication costs have doubled. I've been working at Audio Express for almost 21 years, and have been threatened of cuts to my Salary of \$ 500<sup>00</sup> per check (every two weeks). This would destroy everything I've worked so hard to achieve. And with Anxiety, it wouldn't be fun.

I told Judge that Leslie was and still is addicted to Gambling. She plays (on-line) Texas Hold Em (a fast played, high betting card game). You can play with both play money or real money (of which she does both). In fact, if you were to Subpena POKER STARS.NET, you would see how many, many hours she has logged on that site, as well as others. She even would play 2-4 games simultaneously. And when the kids needed her, she would say, "Sorry, I'm playing in a tournament". This is Fact. I would come home from work, make the kids dinner, then help them with homework. All while she plays poker. She (Leslie) spent so much time (and still does) on those sites, that she took on a different and ugly personality.

We NEVER had any domestic disputes, and I never ever even raised my voice to her. Even if you were to subpena ALL of Leslie's sisters,

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they would have no choice but to say how I was a model husband and father, yet here I am struggling and fighting to stay afloat.

Mr. Aboud will state that I let our house fall into a state of dispair. Mr. Aboud, Leslie, and Judge were well aware of my back injury and Anxiety. Leslie must acknowledge how well I kept both the house and yards in tip top shape before my back injury. I absolutely LOVED MY HOME. I also enjoyed doing my yardwork, and home improvements. Leslie basically did very little housework, but did keep up the laundry.

After Leslie moved out and trapped me in the house, she had her mail forwarded. This caused all sorts of problems, as she would get some of my mail, and I would get some of hers. And some mail, not at all, lost somehow in the system. Judge stated that I was playing games and threatened me with JAIL. I was under oath and spoke truthfully. I would do it again too, because its the truth.

On another note regarding Judge during court (everytime) he

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would "twirl" a pen or pencil near his ear, almost as if he either wasn't giving his full attention, or wanted to be somewhere else. He is a Judge, and should give complete attention to both sides during a court session. This was quite bothersome. He threatened me with jail several times. My wife Divorces me, and I get threatened with jail, I have NEVER been in jail.

Speaking of threats, Leslie's Lawyer Mr. Aboud, threatened me that things were going to change, and how bad depended on me. He asked me if I wanted to make a deal (with only him and myself present) demanding that I give full custody to Leslie, pay way more child support, and that the only way I could see our children was with 100% supervised visits. I'm not a criminal or child molester, and was very very offended. I told him I would NEVER make any deal with him. He then called me "SCUM" and "PURE FILTH". I have proof that this happened, on my Blackberry voice recording, not a phone conversation.

I Love my children with all MY Heart, and would do anything for them. I am barely making ends meet right

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now, and hope and pray things will change, as I know I have not been treated fairly. I realize that Arizona favors women in divorce cases, but not all men are bad. I believe I should be able to start my life over as well.

I am currently being garnished for child support (which is fine) as well as for a \$45,000 judgement. This judgement should NEVER have happened due to the simple fact that it was going off an old appraisal on the house, of which Leslie never paid her half of the appraisal fee as ORDERED by Judge

I paid for the entire \$375.00 fee for the appraisal, and gave Leslie a week and a half notice. She said she didn't have the money nor would she on payday. I told her I would cover it, but she had to reimburse ASAP. So Judge never made her pay it back, and still went with an old appraisal, (before and during housing CRASH). This is unacceptable behavior from a Judge who is supposed to go by the law.

On top of all of that, the Judge awarded Leslie ALL of the

⑥ equity from the sale of our home. This is the home in which we (Leslie and I) were both on the Title. And even more, the judge ordered me to pay all attorneys fees and court costs. Even after he originally ordered for each of us to be responsible for our own legal fees and lawyers. This is the Judge going back on his own rulings. UNFAIR.

Our family, prior to our divorce or even any problems, we had/have two family pets. Two dogs named Shayna and Sheba. I still have them, and have been caring for them as well. This costs money too. I don't have the heart to get rid of them as many other people do.

I will end this letter on two very disturbing events. One, Leslie's step father grabbed and squeezed my sons leg, and then took a swing at his (my son's) face. Fortunately, my son moved in time, then exited the vehicle he was driving, because Leslie had been drinking, then ran over a mile to our house. He was hysterical, and crying, and it took over half an hour to calm him down enough to find out what happened.



⑦ Back at the vehicle, Peter (stepdad) exited the vehicle as well and he walked to his own residence. Then, Leslie, even though she was previously drinking, drove to my brother's house (he is married to Leslie's friend), then she called me, very upset. I told her to tell Peter I was coming to talk to him, but she said she wasn't home, I asked why, she said "why do you think", I then said you're scared huh, she said yes. This man Peter was about 65 or 66 years old when this happened, and \_\_\_\_\_ was 11 years old. Real tough guy Peter is.

The last situation is that our son \_\_\_\_\_ told me that his mom (Leslie) gives him and our daughter VICODIN for headaches. This is a controlled substance, and is only setting the children up for an addiction. All without consulting me as stated in mediation.

I hope you can help in all these matters. I don't want my kids to get hurt, but I don't know who else to turn to. I can't even afford an attorney. Thank you for your time and patience.