

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-015

Complainant: No. 1410210308A

Judge: No. 1410210308B

ORDER

The complainants alleged that a superior court judge violated their rights by making incorrect rulings and allowing perjury because he a friend of opposing counsel. After reviewing the allegations and the judge's response and listening to the recordings of the hearing, the commission found no ethical misconduct on the part of the judge. Although the judge was direct at times, the parties were allowed full opportunity to be heard. Whether the judge ruled properly is a legal question outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 3, 2011

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 3, 2011.

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

STATEMENT OF FACTS

Your name:

Judge's name:

Date: January ____, 2011

I. The Commission of A Criminal Act.

1. Judge _____ conspired with Michael Sheridan (Sheridan hereinafter) as the two of them had a prior relationship. [CV 2006- _____ Exhibit "A"]. Judge _____ did not recuse himself at the beginning of the Case. He had secretly agreed with Sheridan and intended to issue the outcome in favor of Sheridan, else he would have recused himself at the beginning and disqualified himself, in fear of violation of the Code of Judicial Conduct, Canon 3(B)(1). Instead _____ counted on the fact that no one would remember or research the files.

2. Sheridan had ex parte communications with Judge _____ on November 18, 2010 as proven by Sheridan's assistant accidentally sending official in-court pink copies to Complainant. The conspiracy was completed with a wrongful "ruling" and "judgment" against Complainant's wife _____ as Complainant was only a witness at her trial on July 23, 2010, since the automatic stay was in place due to my bankruptcy. My wife's Judgment has been taken to the Court of Appeals for violation of Court Order, dated August 10, 2009 prohibiting entry of evidence not in compliance with full disclosure. Judge _____ violated that order on July 23, 2010 by allowing Sheridan to enter falsified testimony and evidence in an ambush tactic.

3. Judge _____ refused to allow newly discovered evidence that was presented after trial by mandatory judicial notice, and refused SEVENTEEN (17) TIMES to allow evidence against Sheridan, as stated in the opening brief, which is part of the Court's Records.

II. Willful misconduct in office.

1. Judge _____ knew and so did Sheridan that the Secretary of State had recommended "no action" in their letter to Tina Cottle (Tina hereinafter), dated July 19, 2010, [Recommendation Letter Exhibit "B"] regarding Tina's false complaint (filed with the assistance of Sheridan, Transcript of trial dated 7/23/2010, Page 89) filed on 2/18/2010 after close of discovery. [False Complaint, Exhibit "C"].

2. By using a previous letter, dated July 16, 2010, the Secretary of State mistakenly recommended that Tim Sherlock's notary should be "revoked", without having the Notary Journal in their possession, without a response from Tim Sherlock, without acknowledging that Tim Sherlock had not renewed his commission, and without a resolution from the investigation by the Attorney General's Office into the false allegations of forgery by Tim Sherlock, for causes that could not be verified, because neither the Secretary of State or the Attorney General's Office knew that Tim Sherlock was deceased!

3. Judge _____ knowingly and willfully violated Complainant's rights to due process by not allowing newly discovered evidence of the perjury of his friend Sheridan and Tina after the trial was over by the demands by Complainant's wife and Complainant for mandatory judicial notice 17 times.

4. Judge _____ completed the conspiracy and wrongful actions by issuing an egregious "Ruling" and wrongful "Judgment" and by issuing sanctions against Complainant's wife when judicially noticed of the acts of perjury by his friend Sheridan.

5. In the meantime, Sheridan proceeded to obtain writs of garnishment against Complainant's wife to take her salary from her job and property from her bank, and proceeded procedurally against Complainant in Bankruptcy Court, obtaining a judgment adopting the "Ruling" and wrongful "Judgment" through procedural processes, claiming "privity", for over a quarter million dollars as a result of judicial misconduct, perjury, malicious misrepresentations and half truths.

6. The conspiracy of Judge _____ involves him directly and indirectly with the wrongdoings of Sheridan, and he is as guilty as if he committed the crimes himself, involving perjury, schemes and artifices to deceive, defrauding the Court and stating malicious misrepresentations which is beyond his absolute immunity, and the judge should be removed from office, rather than "censure" or "reprimand" or lesser charges, for the cause that his wrongful decision was beyond prejudicial and was intentional in support of the wrongdoing of Sheridan and Tina through favoritism with Sheridan, and was not impartially decided, and is a violation of the Canon of ethics, multiple times.

7. Such willful misconduct by a judge can not be condoned by anyone expecting justice to be fair, not prejudiced or an act of conspiracy.

III. Willful and persistent failure to perform duties.

1. Judge _____ "trial" on 7/23/2010 was a sham proceeding, as no reliable evidence or testimony from qualified witnesses was ever produced at trial, and _____ acted only upon the perjury of Sheridan and his client in a conspiracy without any proof that would support Sheridan's claims and false, fraudulent and malicious misrepresentations of half truths whose ambush claims could not be exposed until after trial as newly discovered evidence was found. _____ had a duty and responsibility to obey mandatory judicial notice of the perjury of his friend Sheridan and refused to allow any of Complainant's SEVENTEEN (17) requests for mandatory judicial notice, in violation of the Rules of Evidence, and violates multiple Canons of Ethics and code of judicial conduct.

IV. Conduct that brings the judicial office into disrepute.

1. By issuing an egregious ruling and judgment resulting from the perjury of Sheridan and Tina, Judge _____ brings the judicial office into disrepute, dishonor, disgrace, ignominy, infamy, shame and/or scandal.

2. Judge _____ knowingly and willfully violated Complainant's rights to due process by allowing Sheridan to violate the Order of the Court, dated August 10, 2009, paragraph 4 and 7 regarding discovery; along with using ambush tactics to appear to prejudice the Court, as the conspiracy to defraud the court and Complainants unfolded, since the victim of such behavior is the last one to know what happened. The ruling and judgment was not true or correct.

3. Judge _____ conduct is prejudicial to the administration of justice and brings the judicial office into disrepute, and/or is a violation of the code of judicial conduct.

4. For such willful misconduct, Judge _____ should be removed from office.

V. A violation of the Arizona Code of Judicial Conduct.

1. Issuing a wrongful and egregious "Ruling" and "Judgment" in the face of mandatory judicial notice and evidence Sheridan and Tina lied to judge _____ and acting to allow entry of evidence in an ambush in violation of a Court Order, dated 8/10/2009 and other criminal acts set forth herein is the basis for violation of multiple sections of the Arizona Code of Judicial Conduct to numerous to comprehend by a normal human being and is the very definition of "extreme and outrageous" conduct for which absolute immunity does not apply, as to allow such behavior from a judge flies in the face of justice and is the very definition of judicial misconduct for which the Code of Judicial Conduct was written. It is clear that Judge _____ violates the Arizona Code of Judicial Conduct:

2. Judge _____ knowingly and willfully violated Complainant's rights to due process by violating the previous order of the Court, dated 8/10/2009 allowing Sheridan to enter falsified "evidence" that prejudiced _____ in its simplest form, or under the conspiracy theory shown in Case No. CV2006-_____, _____ acts were beyond the definition of "extreme and outrageous" conduct, comprising conspiracy, fraud, falsifying documents, interfering with the judicial process, rules of court, orders of the Court, and other malicious misrepresentations of fraud and perjury.

3. Judge _____ conduct is prejudicial to the administration of justice and brings the judicial office into disrepute, and is a violation of the code of judicial conduct.

4. For such willful misconduct, Judge _____ should be removed from office.