

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-039

Complainant: No. 1078600091A

Judge: No. 1078600091B

ORDER

The complainant alleged that a superior court judge was rude, unfair, acknowledged mishandling a case, and made incorrect decisions. After considering the allegations, viewing the video recordings of the two-day trial, and reviewing the supplemental information, the commission found no misconduct on the part of the judge. The judge was never improper in tone or language, and she explained the basis for each of her evidentiary and legal rulings as she made them. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: May 26, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on May 26, 2011.

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

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2011-039

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 2/10/2011

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

The judge stated in court in front of clerks, myself, Michael Werner, Arthur Alsworth, Donald Scheer, Mulligan that she "mishandled" the case. Should be taped

The proof that Marie Piscopo was stealing from Trust was over whelming. She allowed this case to go on for too long. Constantly yelling @ my attorney & not the opposing attorneys whom diep about giving necessary paperwork, and defendand was asked an accounting over & over, judge kept prolonging case she was given documents, showing unewerh beneficiary distributions, took money in allowed defendand to keep bonds cashed by Marie Piscopo (defendant) & repeatedly asked to the judge that she needed to put money from bonds into Estate.

Both Marie Piscopo, Diane Brest are liars so you will not get the truth from them. The judge allowed my past problems with drugs and ~~and~~ and also allowed documents from 1999 stating I was evicted from my daps Condo, but did not allow an accounting from 1999

continued

Continuation of Complaint

The trial was set for 11/2/2010, and I was on the stand testifying for a day and a half. I was asked by Mulligan the attorney for Ciccone, if I take any prescription drugs and I stated yes, legally it was the judges job to ask if I was competent to stand trial she did not. Also I was accused of having a DUI, still having nothing to do with a probate case, and they asked me twice and I send no twice, no documents were in evidence on this allegation. The fact that I was evicted and owed money to the estate was also a lie, and no paperwork was in evidence and if it were I never saw it nor saw the opposing attorneys hand the paperwork over to the judge. The accusation that I had a drug problem also was allowed to be entered into the court, which had no relevance to the probate matter. There was definitely extreme bias against my attorney and myself.

My attorney Arthur Allsworth, told the Judge that I had fallen down the steps to my condo and had to go to the emergency room, and diagnosed by hospital to have a concussion, there have been serious issues with memory, and headaches, another motor skills affected by this. My attorney asked for a continuance stating that I was not in any shape, the judge said no, even though extensions were given on many occasions by opposing attorneys, and she requested tax records from Marie Piscopo and her attorney Donald Scher early on and they never gave the paperwork, judge did not even bother to address that issue, and money from the trust was taken to hire an accounting firm.

I was asked many questions on the stand most of which had nothing to do with neither my mother's estate nor the trust of my father. The judge allowed all accusations, slander and defamatory commits made in the courtroom but she did not want to hear anything about the trustee. I was asked for dates and years and months and had to unfortunately state that I did not know, could not remember, and the judge made a sarcastic comment, and did not believe me that I could not remember, if you looked into concussions you will find medically, losing memory is one of the symptoms that can happen short or long term, and I can get a letter from my neurologist. Judge sided with the defendant, and to be even more spiteful, she ordered that was ever left of the trust that was mine it was going to pay for attorney fees, for both Marie Piscopo, and Elsie Ciccone, knowing that my only source of income is my disability, then she also made the comment that she would like to make me pay money that was not owed by me when evicted from my dads condo, even though I saw no evidence of the amount owed, I however gave evidence to my attorney showing that the amount stated by Piscopo was over inflated by over \$1,500. If you need to see this paperwork, I will have to dig it up, but I have it. So even though the judge was alerted that both my deceased parents allowed me, that I could live there rent-free with my 9-year-old son. And that could be proved. She also did not allow Michael Werner to be a witness and from what I understand it was because he was an employee of Arthur Allsworth my attorney, which also was an outright lie. The cards were stacked against me. Since she allowed mulligan to cancel for some family issues, she failed to give an extension for the trial to my attorney even though she was made aware of my fall down the stairs and the damage done to my memory. The judge had no empathy when it came to me. After stating that she would also like to see me pay for the alleged amount owed to my mothers estate it was so far back. Since in the medical world

anyone with a concussion can have problems remembering dates, but Judge accused me of doing this on purpose which was a serious mistake since I have the medical world that would stand behind me when it comes to memories. I think what she did to me a disabled person, and the money that I am entitled to as a beneficiary would not be going to me but the attorneys, I was flabbergasted since I do not own anything,

Yours truly.