

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-059

Complainant: No. 1414310809A

Judge: No. 1414310809B

ORDER

The complainant alleged that a superior court commissioner failed to rule on a motion for fees for nearly a year and still failed to act after both parties brought the matter to his attention. The commission on judicial conduct reviewed the allegations and the commissioner's response and found no evidence of ethical misconduct. The record reveals that the case involved several delays that were caused by the complainant, in part, when she successfully sought to remove the case to the federal court. Once the case returned to the commissioner, he promptly resolved the pending motion. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 2, 2011

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 2, 2011.

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

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March 3, 2011

Michael Jeanes
Clerk of the Court
Maricopa County Superior Court
Attn: Darlene Anderson

RE: False Affidavit's Executed by Judge
In FC2009-

To Whom It May Concern:

I have spoken with the Maricopa County Sheriff's Department regarding the false affidavit's signed by Judge [redacted] I have had a motion pending in his department since February 2010. This motion was a motion for attorney's fees and expert fees.

Since February 2010, he has failed to and has refused to issue a ruling regarding this Motion. It has now been over one and a half years since its filing and he still has failed to issue a ruling. To make matters worse, he has been signing affidavit's under penalty of perjury that he has no matters pending in his court for over 60 days.

Further, on October 7, 2010, he was informed by me and opposing counsel, Alyson Foster, that he had failed to issue a ruling on the motion filed in February 2010. Since October 7, 2010, Judge [redacted] has continued to sign affidavit's under penalty of perjury and has failed to and has refused to issue a ruling on the motion.

Obviously, his failure to issue a ruling has been prejudicial to me in my case, but more important the execution of affidavit's under penalty of perjury knowing full well that what he was declaring as true was not true, is criminal.

Given all the information above, it is my belief that:

- Judge [redacted] signed a false affidavit in April 2010.
- Judge [redacted] signed a false affidavit in May 2010.
- Judge [redacted] signed a false affidavit in June 2010.
- Judge [redacted] signed a false affidavit in July 2010.
- Judge [redacted] signed a false affidavit in August 2010.

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- Judge signed a false affidavit in September 2010.
- Judge signed a false affidavit in October 2010.
- Judge signed a false affidavit in November 2010.
- Judge signed a false affidavit in December 2010.
- Judge signed a false affidavit in January 2011.
- Judge signed a false affidavit in February 2011.
- Judge signed a false affidavit in March 2011.

And...Judge continues to file false affidavits.

I will pursuing this matter as a criminal action but also believe that you should be aware of his conduct. I have also been aware that knowing that continuing to allow Judge to receive payment based upon his known false affidavits is also criminal in nature.

I appreciate your prompt response.

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