

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-082

Complainant: No. 1321110248A

Judge: No. 1321110248B

ORDER

The complainant alleged that a superior court judge violated her rights, failed to protect her children, issued rulings that were inconsistent with trial testimony, and was biased. After considering the allegations, the judge's response, and the appellate ruling, the commission found no ethical misconduct on the part of the judge. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: July 20, 2011.

FOR THE COMMISSION

/s/ George Riemer

Executive Director

Copies of this order were mailed to the complainant and the judge on July 20, 2011.

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

First Name:

Last Name:

MAR 17 2011

Address:

City: Tucson

State: AZ

Zip: 85710

Home Phone:

Work Phone: none

Facsimile:

E-mail address:

Are you represented by attorney?

Yes

Attorney's Name:

Attorney's Address:

Complaint Information: Please see Appeal's brief's

Judges Name:

Judges court: Arizona superior court, Pima County

110 W Congress Street

Tucson, AZ 85701-1334

E-Mail: Unknown

Date of Incidents: January 2007 – February 20011

Details of complaint: My constatusonal right to defend myself was taken; my children and home were taken without cause. My lawyers was not permitted to enter in any evidence on my behalf, such as finance record, I had also provided health and dental insurance for my ex-husband and all 8 of the children including his 2 children from his first marriage, I had put my ex-husband though school and took

care of the 8 children with the life insurance from my first husband's death and an inheritance that was given me when my grandparents passed away.

I tried to showed that I was a stay at home mom for 25 years , I took care of 2 grandfather's and a grandmother up until they passed away .

Medical record's to show that I do infect have kidney disease, Enlarged spleen , and a rare genetic blood disease called porphyria,(to witch my children have a 50/50 chance of having) also my children's medical records that show I had my children's medical Dr. for 18 years and never once did this questions of Munchausen syndrome come up . I have also been seeing a physic DR. for ADD for three years and have a letter and evidence from this physic DR. and there was never any Munchausen syndrome... (please see Dr. Stephen V. Streitfeld's letter)

DR. Balch was appointed by Judge This Dr. interviewed me a total of 2 hours and gave me a 1000 question questioner. Dr. Balch stated that I had to be Faking the answer because I scored high on being a 'A good mother'. I find it hard to beleave that you could fake a test such as this give there were so many different kinds of questions and that my children were at stake... having been the oldest of 8 children and having 8 of my own ,I have a great deal of experience . my behavior alone would suggest that the test was correct in this aspect give I have fought very hard to get my children back , I have stayed in a very hot place with kidney disease, I live down the street so that my children can go to the same schools and church among other things.

DR. Balch was give the information from my ex-husband that he had molested a child for three years (the child was 5 years old my ex-husband was16-19.)All this information came out in the Dec. 2008 trial. There was also information given to Dr. Balch and the Judge that my ex-husband's brother a class three sex offender was living at the house that my children are staying at... Judge reply was "just keep an eye on them" There was no concern that my children are staying at the same house that all this molestation took place, (at his mother's house). There is also an Alzheimer's patent that has been violent to all the grand children. One of my son's was punched in the face .I was not allowed to enter in the police reports on my father in law. I know this is not his fault but my ex- husband chooses to put my children in harm's way. The fact that Dr. Balch was in the locked court room before trial started, alone with my ex-husband's lawyers is a question.

When my lawyer and I arrived at the court room for the schedule trial at 9:00am the doors were locked. By 9:15 the doors to the court room were still locked. My lawyer and I had become concerned my lawyer went down stairs to confirm the trial date, time and location. She had come back up stairs and had confirmed we were in the right place at the right time. By 9:30 my lawyer had called Judge clerk to see if the trial was going to be healed in this room... the clerk had informed my lawyer that someone would be there in a moment to open the door... Shortly after that the court room doors were opened, we found DR. Balch the key witness and my ex-husband's lawyer in the court room. My lawyer asked how they had gotten into the locked court room. My ex- husband's lawyer replied" thought the Judges Secure hall way" (Please see appeal's brief). My Ex-husband's lawyer started the questions with Dr. Balch. My Ex-husbands lawyer brought up the subject of Munchausen by proxies.

There was never any of this information on any of the reports done two years before the trial. The fact that my Ex-husband's lawyer brought the subject up without any written information given to either my lawyer or my ex-husbands lawyer, the fact that Dr. Balch and my ex-husbands lawyer were in the locked court room coming in through the JUDGES secure hall way is extremely suspicious to say the least!!! There was never any evidence or oriel argument that was presented at any time during any of the three years worth of proceedings that I was a danger to my children.

Judge made several statement's in rulings (April 28 th 2010) that were false such as "the court stated that it did not have extensive information on the wishes of the children but had concerns that the children did witness high conflict as a result of the mother's paranoid and delusional behaviors with manifested in a unrealistic fear and perceived hatred from the father."

The truth of the matter is that Judge appointed attorney John Assini to represent the children but Mr. Assini never testified at trial, did not interview the children prior to trial to ascertain the children's wishes so that he could report that information at trial.

Judge also stated that "The children were doing well and having consistent contact with the mother." The testimony at trial was that "the father had abdicated much of the parenting responsibilities to his mother and that when it suited the ex-husband's schedule, that the children spent significant periods of time in their mothers care and custody.

In the same ruling Judge stated "Two year's prior to the trial that I had lived in a shelter or in my vehicle "When in fact the testimony from me was that I had lived in a battered wife shelter, there was never any testimonies about me living in my vehicle.

Judge also stated in the same ruling "The Court feather found that I had a break-down during the course of the litigation. No such testimony or evidence was submitted during the course of the litigation! Please see the Appeal's brief.

My evidence was also suppress when we tried to show that my car had been tampered with ,IE a letter Written by the vice president of an audio express here in Tucson stating that my viper car alarm had been disconnected . An audio tape showing on a different occasion that the car had been tampered with again, a police report had been entered in that a security grad had had a reaction to opening my car, he had an instant rash and became sick to his stomic. I had also had stayed at a domestic valance shelter for a month, I also have audio tapes of conversations with my ex-husband on the child molestation that he and a brother in law did. I did not know of the molestation until 5 years into the marriage and had a set of 2 year old triplets one being a girl. Even then I was told a lie about the molestation and did not find out the truth of it until the Dec. 2008 trial. my ex-husband threaten me, if I try to go back to court to get the children he said" you're going to get it"" you can see the children any time you want but if you make me go back to court you will never see the children again, the judge will put a "kibosh" on you and that will be that " I have this information on recoding.

(Please see order for parenting time). Dated November 2009, the parenting plan was sign by my ex-husband and the judge. my question is why would you leave the children with me at all if I was a danger

to them, with my ex-husband's work schedule I have the children about 50 % of the time with no child support and no rights to my children .. The judge and my ex-husband have no problem leaving me with my children for this length of time.

My evidence was suppressed again when I tried to enter in an inspection report given by Brick by Brick of the damage's in the marital home. A great deal of mold and satchel damage was in the marital home. I had put in my first husbands life insurance and grandparents inheritance in this home. Not only did Judge denied me the right to enter this in as evidence but Judge put a gag order on me that I was not to disclose this information to any potential buyers I was not to talk to any potential buyers. This was concerning to me given the fact that my children and I had a great deal of health problems in that house. My rights were striped to the house, I was ordered not to go into the house and that my ex-husband would now have all rights to the house. He sold the house WITHOUT disclosing this information in the sale of the home and Judge had ordered my Lawyer to Signe the house papers in my behalf.

In the New York Times dated June 2006, Tim O'Brien brings into question Judge Deborah Ethics, I am sure I am not the only one this woman has done this to. . Judge striped me of my children, my home my right's and in doing so she has thought my children that when you are have health problems that you will have everything taken from you. If you have a lot of power you can take anything. How can Judge get away with this?

From me they have learned a mother's love...

Please will you help me Wright this wrong.

May we send a copy of this to the person or firm you are complaining against?

Yes

Did you sign any documents? No

Total amount of damages:

30,000 dollars

My we provide your name and telephone number to the media in the event of an inquiry about this matter? Yes, how many other people has Judge done this to?

My we send a copy of your complaint to another government agency for their review or investigation?

Yes

I am under the age of 60

I Have a great deal of evidence, documents, audio recording, Picture, ex.

2011-082

Thank you for your time,