

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-106

Complainant: No. 1417510922A

Judge: No. 1417510922B

ORDER

The complainant alleged that a superior court judge was biased and endangered a child by improperly including private financial details in publicly filed court documents. After reviewing the complaint and the court record, the commission found no evidence of ethical misconduct on the part of the judge. The issues raised involve procedural and legal matters that are outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: September 7, 2011.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on September 7, 2011.

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

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APR 07 2011

Mr. Keith Scott
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

April 7th 2011

BY FACSIMILE 4 PAGES

Dear Mr. Scott:

I am disabled, and as such, I cannot handwrite easily. I could not fill out your form. It would be illegible, so, I am typing the identifying information requested on your complaint form, below. I hope that will be acceptable.

Judges name:	Location: Phoenix Court
Yes, a case before this judge.	Nothing presently pending
Case # FN 2006-	
Case name: ? "in the marriage of	" , or "
Atty for	Petitioner:
Atty for	Respondent:

All addresses on file with the court, except respondent, who uses fictitious addresses. To avoid service of process.

Mr. Scott, The issues I am presenting to the Judicial Conduct Commission are several fold, and will require I write a lengthy context and lengthy case synopsis. However, The main issue requires neither context nor case synopsis. My Daughters endangerment by Judge

I am submitting notification and request for definitive action on this sole issue at this time because action must occur with notable urgency. The other issues I will submit later, when I have had time to collect all the legal cite's, pleadings, motions, outcomes, and organize those specifics into linear presentation of cause and effect.

After receiving and reading the judgment/decree authored by judge dated 1/27/11, I noted she wrote, on page 8, # 12 of the decree, as was made available on the WEB:

" 12. Before the marriage, Mr. set up a revocable trust
For his daughter Caitlin worth approximately one million dollars"

Let me say here that my daughter is a minor child, and as such gets special attention in the statutes addressing Reckless Child Endangerment, and willful harm, and making a child

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vulnerable to harm, and that my daughter was not even a party in this case. Respondent is not the mother of my child.

I am not a computer literate person. I use it to get e-mails and type rather than handwrite. Towards the end of February 2011, I received a call from a friend that someone had put my daughters' personal information on the internet. Dangerous information. Until that moment, I had no belief, or awareness, or could imagine that the court, without considering the dangers it would create for children, made this information available for viewing by every type of predator, which we all know "surf" the Web looking for high value victims.

I asked for specifics. I was given information, and then ran my own experiment. I merely typed in my name and the city in which I live into the address bar of the computer, and many notices came up with my name. I found there are 9-12 guys with the same name, but I did find my name, my address. I also found a cite naming me and my now x-wife and giving a case number used by the court, and court findings. By "clicking" on the cites, or sites, following and "clicking" on "links", it led me to a page wherein I could "click" on Minute Entries. And the 1/27/11 decree was there. Page 8, Item 12 was there.

Like judges and police, mental health practitioners keep their whereabouts unlisted. For obvious reasons. Yet there I was, name and address. It came from court records, the same records which now painted a target on my daughter back with a \$1,000,000.00 prize tag in the middle. Now my child can be viewed by any predator as a mechanism to demand ransom, in exchange for her life in a kidnapping, or to demand ransom under threat, least she be murdered on the way to school, while walking the dog, by long distance rifle shot, or something close up, perhaps a knifing, or strangulation in a coffee shop. You know once started, it will never end.

I am hoping your commission will abstract the cause and effect relationships of behaviors/ events in the environment, and predictable outcomes. The abstraction of code 13-2401.

In her judgment/Decree of 1/27/11, Judge had refused to comment on several key issues raised at trial in December of 2010, and so a Motion For Reconsideration was filed, addressing these points, correcting her incorrect statements, erroneous beliefs, her ignoring of evidence, AND asking that item #12 of page 8 of the 2nd decree/judgment be deleted, as well as having the 1st decree, 2nd decree and all records noting that information sealed. Reasons were provided. For the same reasons judges enjoy code 13- 2401, & for common sense, for the safety of my child.

The motion in it's entirety was denied.

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Judge is in violation of criminal code 13-1201, Reckless Child Endangerment, a felony 4-6, and for refusing to remediate the cause, especially after being "reminded", code 13-3623 A-1, Vulnerable child, a felony 2.

My attorney has submitted, Thursday last, a 2nd motion on to Judge to have the entire file sealed. It was noted to the Judge that it is an issue of great urgency. I have therefore waited 1 week to submit to you, to allow for corrective process, or , proof of willful intent. 13-3623.

I read the OVERVIEW document you had enclosed with a complaint form. I then looked up the Code of Conduct on the internet. It appears more comprehensive than in the pamphlet . The internet version gave subsections, and numbered comments below each heading or point. I will reference that version.

Judge action on this issue violates Canon 1, rule 1.2, comment #5. Impropriety, as in violation of the law. Felonious behavior. In this case 13-1201.& 13-3623. Because the motion for reconsideration on issues 13-1201,& 13-3623 was denied, a violation of Canon 2.2, comment #3

I see here 2 imperatives:

1) In the immediate, any reference to my daughter, her name, address, a trust account in any amount, be immediately and totally deleted from any and all court documents, judgments, decrees, the file, all files, both Family and Appeals Court, be sealed, and of course, to GET IT OFF THE WEB, any legal reference, any legal action, appeals action, off the Internet, the publication of minute entries, decision's and to DO IT NOW.

2) Judge is in violation of both your Canon of Conduct, #'s 1 & 2, and criminal statutes 13-1201 & 13-3623. Both felonies. You are now aware of criminal behavior. I know, per the Code of Judicial Conduct, Canon 2.15, A, C, Comment #1, you will file charges with the authorities. I would like a copy of the Police report. If there is to be a Commission meeting, I would like to be present. When a report of the commission's findings are made, I would like a copy.

Sadly, even if you, your commission, arranges to have any reference to my daughter, her address, any mention of trust accounts and such, from 4/12/06 to present, deleted from any court documents, the Internet, and all files sealed, it's been out there for a while, and noted in some predator's notebook for later utilization.

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I have already had to make my child aware "...you need to be looking over your shoulder" to "never walk into a room that does not have at least 2 ways out"..." be very careful with whom you hang out with...they could be the one that brings you harm."... " be wary of anyone that approaches you", .. " watch where you park the car",... "Be careful where you walk", .."Be careful where you drive", etc, etc, etc..., "all the time". What things to have to tell a child .

She's already suffering from that knowing. She has asked me if she could have a gun. No carefree youth for her. To be safe, she must now live as if she is constantly being stalked. Living under the threat of imminent attack. Now she must wake up each morning to a sense of dread. She has been given a life sentence.....and she has committed no crime.

I am requesting that you take action on this as though it was your own child now in danger. Meaningful action . And to take action now.

Thank you for your kind attention to this matter. I would much appreciate a call to notify me how rapidly the above issue can be dealt with, and what progress is being made in returning my daughter to at least a minimal condition of safety through anonymity.

I do affirm, under penalty of perjury, that the foregoing information in the allegations contained in the complaint are ~~true~~.