

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-188

Complainant: No. 1423410252A

Judge: No. 1423410252B

ORDER

The complainants alleged that a pro tem superior court judge and superior court commissioner would not listen to the son's arguments or consider his evidence in his child support case because of racial bias.

The responsibility and mission of the Commission on Judicial Conduct is to impartially determine whether the judges engaged in conduct that violated the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After carefully reviewing all of the documents provided by the complainants and the court record, the members of the commission found no evidence of ethical misconduct and no violation of the Code on the part of either judicial officer. The allegations primarily concern court rulings, which are outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: October 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 October 7, 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**2011-188**

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COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date:

7/19/11

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.

I had a child support case before these judges. I was never served or notified of the court hearing. Since I was never notified of the court hearing, I was not present. The judge ordered the child support at \$1100.00 dollars a month. The judge set the child support and past support without any evidence of how much money I was making. He listened to the mother of the child whose support was being decided upon. She stated that I was making \$8000.00 dollars a month driving a cab. I was never even told about the baby until she was one year old. The mother never told me she was pregnant with my child or that she had a baby that was mine. I found out through court papers filed on behalf of DES for child support. I was not notified of the first court hearing, held January of 2010. I found out after the hearing and filed for a new hearing (a modification) within a month of the first hearing. At the modification a different judge was present and had me arrested. Neither judge, the first or second one, listened to anything I had to say.

(Attach additional sheets as needed)

Judges name

Date 7/20/2011

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● when Mrs. Contreras and I have no contact and haven't for three years.

I requested a hearing and asked for a deferral of all court fees based on my income and proof of income and was approved. I requested a hearing in the beginning of February of 2010. I did not get that hearing until July 1, 2010. At the second hearing in July 2010, [redacted] was the presiding judge.

I did tell her I was never served
● or even notified of the hearing until after the hearing date, in which I was sent a minute entry of the hearing. I asked the judge to show me proof that they say I was served and she informed me it wasn't any of my business. I told the judge that Darlene Contreras was mistating the facts when she claimed my income was \$8000.00 a month. There is no cab driver in Tucson that makes this income. She did not listen to me. The judge just stated
● that I had an accent and asked where I was from and I stated that I was from Jordan. Once I said that

her face changed indicating that she had some pre-concieved notion about middle Eastern people. Directly after this I tried to explain to the judge that it is absurd for her to believe I make \$8000 a month as a cab driver. She then called the police officer up and had me arrested. My father paid the bond and I was released from jail. The next hearing was with Judge again. He adjusted the child support to 540 a month based on my school loans and minimum wage income, since I was not working. He did not go back to the date I filed and adjust the child support. When I tried to tell him I was never served, he did not listen to me either. I was forced to drop my classes because I was arrested again at the next hearing for being ten days late on the ordered child support. I currently have a warrant for my arrest and am not able to work at all because of it. If I can not work, I can not pay anything on my child support. I had to quit school.

And again my father paid for the second time and released me with no school. and have no money,

So, the problems started because of the very big mistakes which are:

1. The girl never told me that she can have a baby from me, she deceived me and as if she planned to do that as business, which she did and the sequences helped her when because I was not served she just put that big figure that I paid \$8,000/month and the first Judge build on that without any evidence just her words enough.
- 2 - I was not served and if so I need the proof because this my signature as it appeared on the covering letter and my driver licence, that it should be.
- 3 - We used to have me and my father and other friend partner to us at that time four cabs, two for me and my dad on my dad home and the other two for a friend

used to go to UoFA as student his name Ahmad ab Adas, and a proof that that there two cabs for him even the four cars where on the Small Company name "Concord Cab" is that at that time the FBI Question my father about his relation with this friend, and my dad told them that he is a partner and it is dicountanted, so we officially me and my father where using two, one for my father use and one for me, even at that time the four cabs has the company name and this girl Darlane for her benefits try to confuce the court that I have the four cabs and they made 8000 month which is not true, only one I used to use paying insurance because it is cab \$370/month and maintenance and gas and - finally as any cab driver in Tucson can make about \$1000 per month, and cab drivers are in Tucson and this metter can be checked.

So again Darlane Succeeded, and since I am not Served to put that figure so she can get much bussness, and since

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The Judge helped her by not asking about evidence and proofs, that how the figure (\$11/00) eleven hundred dollars amounts to be paid to Darline as child support for one kid From a Cab driver ??!

4- Things get worse when I ask for hearing, because I did not agree on this, I cannot even make monthly that money I have to borrow more money just to pay to Darline, and they set the hearing four months later and that built a lot of payment on me on that court day before the Judge and I was hoping that the Court will give me my right instead the Judge did not listen when I told her that I was not served and I need proof, and did not give me the chance to speak to tell her that I cannot make that money, and instead she asked me where I am from and told her from Jordan, then she was not happy

to hear that and throw me in jail
 and this the big mistake happened against
 me from her. Cost me alot instead analyzing
 and solving the problem made it worse.
 and she asked about my race instead of finding
 out how much I make and based her judgment
 on race as the race is the issue and kept
 the payment \$1100/month and more put me in jail.

5. this amount I cannot pay that, as
 I said my father paid the money ^{to release me} shopping
 that another Judge will fix that,
 and there was alot of money I cannot
 pay, and I went to school and ^{on} the
 other court the Judge reduce the amount
 to \$540/month plus monthly payment for
 the balance before again more than
 \$650/month. and instead letting me go
 to work and go to school he put me
 in jail, and again another problem
 I Lost my school? Taxi business very
 very slow and we have two cabs only
 left the other partner took his cars
 and we left with two cabs now
 to feed my father and my brother and
 me and the cars not for me it's for
 my brother on his name. because my

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Father is tired now has disc cannot work and to lease the cabs the money you get doesnot pay the Insurance and maintance and these two cabs for two families now (me + father + brother)

6 - Now I am under a Warrant of arrest because I have no money to pay \$650/month beside that I cannot work under this warrant - my father is hiring an Attorney now before two months to settle this problem, and hee said when we pay him the money that he is going to lift that and try to have a hearing to explain that to the Judge, which again we heard now it is not promising and again to Jail, and my father has to kill himself to work hard to pay, and so on... And that is because Darline wants to see me behind the bars always as she said and wants end to

get too much money, and a Judge¹⁹
did not want to ask for evidence ^{but about} race.
and they think that I am just easy
collecting money from the street specially
with the economy now a days,!!

7- I am filling a complain against
the first Judge who made
adession without evadance
and against Judge (the most)
and against the mother of the kid
Darline Contreras because she did not
said the true thing and put me and
the Court ~~about~~ ^{run} that. and a complain
about who claimed that I was served
and did not show me the proof which
cause all of this whole problem.

8 Finally, My father who is the one who
suffered and still suffer because he had
to pay every thing from the money he
made driving the taxi having a disenow
for the hard work he put, helped in
writting this report with alot of pain
for the money he put for nothing, because
a Judge suppose to get evidence ^{but ask} outbt race
and fix the figure (\$1100) and threw me in Jail instead

So, Finally, we are seeking Justice now
For these important issues,

- 1- The mother did not tell the truth and the Court did not ask about evidences
- 2- There were no serving for this case and we have the right to see that.
- 3- The First Judge took the words of the mother with no evadince.
Judge and put that
big figure \$1100/month.

- 4- The second Judge ()
She did not listen and care to listen
and instead of asking and caring
about finding out what is going on,
she care about the race, and
she made her Judgment on the race
as the race was the Issue.
We require a full investigation about this
Judge and to be responsible about the
damage it happend to Taeb, dropping
school, get depressed all the times now
finally arrested cannot work now.

5- What is figure and amount to pay based on what Taeb making from driving a cab is the amount to pay and willing to do because it is our blood finally : and even more if we have enough money to our small daughter which never see yet.

6- Your early resolving to this matter is very highly appreciated.

Best Regards.

7/20/2011

For any more information you can call