

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-226

Complainant: No. 1426410699A

Judge: No. 1426410699B

ORDER

The complainant alleged that a superior court judge did not allow him sufficient time to present his case and made numerous erroneous decisions. He further alleged the judge was biased and condescending.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or 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 reviewing the information provided by the complainant, the extensive minute entry history, the recordings of three hearings and the trial in the underlying case, the members of the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission has no jurisdiction to determine the legal sufficiency of the judge's decisions. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: November 3, 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 November 3, 2011.

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

Complaint against Judge Superior court judge assigned to family law unit
Northeast Maricopa Jurisdiction and against plaintiffs attorney Paula Burnstein.

Copies to Judicial commission. State Bar, and attorney generals office.

My wife filed divorce in May 20, 2010

Judge was assigned FN2010-

Plaintiffs attorney
Paul Burnstein
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Phoenix, AZ 85028
623 486 9797
623 486 9798 fax
pjbpc@cox.net
CASE FN2010-051287

Breakdown of events:

My wife abandoned our marriage and left a note on our kitchen island that stated that she was no longer happy and moved out of state and that I was a good and kind man. She also left me with thousands of dollars of debts and to over my head in bills. I was completely traumatised and could not function at a strong capacity at work. I would weep uncontrollably for well over a year. Without any support in this state. My wife knowingly left me in a bad financial position. I don't remember, a lot about the first year because I had a type of post traumatic stress disorder and to this day I have not filed 2009 taxes because I don't remember where all my documents and write offs for that year.

My wife hid her location for a year and I found out that she was living in adultery with an Aleksander partly because she I came home the computer was still on and it appeared that Aleksander was initiating an adulterous affair from his job as a chemist for the branch of the army that

... makes the gunpower and weapons, it is on an army base. It appears also that this same worm was contacting my wife via cell at the poe. During the later morning and sometime early afternoon to hide it from me.

This man interfered with the unserved divorce paper work and the case was dismissed because my wife expected me to be her attorney and respondant at the same time and would not participate in any of the court hearings. The judge said he would give me anything I wanted and I said I loved my wife and only wanted counseling. I also continued to cover my under my health insurance plan.

Unprofessional behaviour and rude conduct of attorney

The first contact with the attorney after I tried to explain to attorney my financial position during my first phone conversation in which the attorney laughed and ridiculed and hung up when I quoted a scripture because she was so adversial.

I tried to contact her again and she would slam the phone on me and I sent an email complaining to my wife to both attorney and my wife. My wife continued to send email. Well one the emails to James was accidently emailed to me and attorney said to him that I was using scriptures or something to this matter which appears to be a little paranoid and then stated that she did not slammed the phone on me six times but simply hungup because 98 percent of what I had to say was said before the turht is that I never had the chance to say anything and this person who desparately needs time out time in a separate room really needs to see a consuelor to further deal with the public. She desparately needs to experience God's love because this whole system is negative wreck.

All my allegation are based on motions and responses filed with court. And recordings of Resolution Management Conference, Phone conference, Trial date one, trial date two

And I need copies of these events released to me as soo as possibleso I can demonstrate to Commission and state bar at one times these events took place on these record events.

I am gathering all the copies or documents and will mail it to commision and state bar labeled to support each allegations.

I did not have enough time or funds to file an appeal plus the appea did not fully address the numerous misconduct issues of attorney and the numerous times said, Judge helped or led attorney when she was found to have either made false statements, deliberate ommissions and possible perjury and by looking at her legal fees many of these fees are either false, padding or she should be responsible for.

I believe that the judge should back off her volunatry credit of 750.00 until an audit of charges are made because this judge has given this attorney an open door to submit fees that very disturbinng. A credit to my wife is a credit to me. You see if attorney made false charges on her billing she could be simply offer a discount to avoid perjury.

The attorney said she only practised family law and not bankruptcy or tax law than she should not be allowed to file bankruptcy for plaintiff as this would be prejerous. Attorneys Unprofessional Conduct – My first contact with my wifes attorney

2) ERC conference,

was attended by myself, Paula Burnstein and Michael Roundtree. Attorney violated my rights and did not did not mail ERC information a week before as required by family law court like I did and I received package which had a date of the day before that evening when I came home and it had a motion to judge that plaintiff thru attorney filed a protection order in New York.

Micheal Roundtree rebuked attorney for her behaviour. All that was accomplished during such meeting was that Attorney was behind a false and malicious protection order in New York. Which was totally dsigned to damage me in court in front of the said, Judge who stated that it was inappropriate and told me to contact New York and to fix it.

I later on filed a motion that attorney tampered with and pulled a page when the copy of the false malicious and defaming **Protection order which was not returned to NEW YORK for service** because it served its purpose which was to coerse me to sign a non faavorable consent decree.

3)Resolution Management Coference

that was asked for by Plaintiffs mother who lives in Ukraine and doesnt speak English in which attorney presented copies of a false protection order filed in New York not the orginal documents sent to her. I found out later there was a page missing in which was stupid false allgation regarding my tossing a dogs across the room which if read in court would have damaged my wives and the attorney credibility. Because my wife lived in New York and any simpleton off the street of Phoenx can see that the allegations that the attorney directed my wife to put on such a defaming, bogus malicious false protection in which the attorney knew, handled and served a copy of the copy in front of the judge. If the commission could get an actually taping of .such event you would see that attorney is visibly shaking when she is getting such copy of a copy of a false protections order that was never served and attorney stated in a false statement to court that she stood behind such false, malcious, defaming protection order which she orchestrated to serve in front of said judge at Resolution by falsely stating that her Mother wanted a Resolution management Conference

4) Phone Conference – afte I filed numrous motions

It is really beyond me that such a distinquished judge as would not see that it simply was a setup to serve a bogus order in front of him. Judge later on helps explains such a high level of msconduct and false statements by interjecting that she simply made a typo.

An attorney is a professional and is liable for her mistakes. What type of court room was this judge running. If made a mistake this judge would been all over. It simply was unfair, prejudicial for him to step and help an attorney bail out from false statement after false statement, false evidence after false evidence. HE SHOULD HAVE SANCTIONED ON SEVERAL OCCASIONS instead of stating that I had malious towards attorney.

I had a right to file numerous motions because this attorney was malicious and simply the fact that she was an attempt at getting me a criminal record in New York that was bogus. And she stated to Judge that she stood behind such protection order in a statement in a court motion. And she returned such protection order to NEW YORK.

After I received a copy of the copy I observed that a page or more was missing from the document. And wrote the court in New York for the missing page.

I then after a few attempts at this process wrote a letter to the attorney asking for a copy of the order to be sent to me. The attorney sent me the original document not the copy. The attorney was the party responsible for the missing page.

Attorney made false statements under oath during 2nd trial date, That it takes a long time to get protection order in New York after judge led her to say that it was a typo.

This is on tape on the 2nd trial date.

Judge and attorney both were involved with an attempt to subvert justice by this tactic. Judge was fully aware that attorney in an email made a threat with a consequence of action. It was not a typo and he did not have the legal right to fix my court case.

Furthermore, attorney never returned service to New York such a defamatory and malicious action that was handled and directed to damage me at the Resolution Management conference by this attorney. after stating the judge in a response to a motion that she stood behind such protection order.

The attorney filed a motion stating that mother wanted a Resolution management conference. I pointed out to said Judge that this was a false statement that mother was living in Ukraine and doesn't speak English but Russian. I pointed this out to said Judge and he helped attorney explain false statement by interjecting that it simply was a "typo". Under oath again the attorney made false statement the judge led her out of false statement by interjecting that it was just a typo.

Attorney after refusing to attend mandated meeting to exchange materials and getting said Judge to release her from this. I even suggested a neutral site even the court meeting rooms to conduct such an exchange and Judge violated my rights to such an exchange.

I received a cover letter in which the attorney stated that she would call any witness her mother and father wanted her to call. Just an emphatic statement that not only did she make false statements in stating that mother wanted Resolution management Conference even though she never talked or communicated with her because Paula speaks no Russian, my in laws are 10 hours away in eastern Europe and they don't understand what a Resolution management Conference is.

Judge and court broke public document handling laws

Judge should have followed proper public document control by looking at document and he would have observed missing from bogus protection order.

This was done to pressure me to sign a consent decree it was highly unethical and defaming and improper conduct by attorney. Attorney later said in a response to my motion about her unethical conduct made false statement to the court by stating that stood behind such stupid protection order

Attorney stood by it so, much that she did not return service and she is very detailed and deliberate in what she does. The judge failed to sanction her and instead helped her explain away such unethical behaviour. He led her and helped her and accepted false statements from attorney in other words the Judge helped

This was before I filed one of many motions before judge

The filing of fraudulent affidavit of income and attorney knew that AFI was false. Judge made a sarcastic remark when I labeled it as fraudulent, And it was and the judge just demonstrated his inability to be fair.

The conspiracy to hide income by attorney and plaintiffs and Judge is on tape making a condescending remark after I told him that it was completely fraudulent and that attorney has been stonewalling this for almost a year.

Attorney failed to disclose that my wife's adulterous domestic partner Aleksander was paying her fees and used his credit card on two separate occasions and she marked out his name when I requested such documentation.

Attorney also falsely stated on telephone conference that she was working pro bono when she actually billed plaintiff's adulterous domestic partner Aleksander for 6000.00

Judge said that it was inappropriate for a protection to be filed and told me to contact New York to get it fixed.

He also ordered attorney to stop sending consent and settlement offers which she almost obeyed but she did send by email a stating that a settlement offer was the same as offered in previous consent decree to me, against the judge's orders.

Found out later that a page was missing that was very damaging to attorney plaintiff.

TYPO The leading of attorney or witness to help escape legal

Attorney made a perjurious or false statement during 2nd trial date and the judge helped her or led her out of it by stating that it was a typo and that he observed her making other typos. The attorney stated that he was right that it takes a long time to get protection order in New York which was a false statement under oath. The judge participated in false statement and judge knows that protection orders are done immediately both in Arizona and New York. This is very damning and it shows that the judge acted in a totally inappropriate manner/

Attorney made false statement in a response to my numerous motions because I simply could not get this judge to do anything

The false protection order

The attorney asked to give me a copy of a New York protection order against me in front of the judge the judge failed to either look at the document or to verify that it was indeed an order and that it was tampered with. The judge exhibited a violation of public document control. The judge stated at Resolution Management conference that the protection order was inappropriate and told me to contact New York to fix it, .

Judge said that it was inappropriate for a protection to be filed and told me to contact New York to get it fixed. He also ordered attorney sending consent and settlement offers which she almost obeyed but she did email a settlement offer to me against the judges orders referring to previous consent decree that was mailed or emailed without my permission

Found out later that a page was missing that was very damaging to attorney plaintiff.

And I filed a motion bringing this to judges attention and again the judge assisted said, attorney explain way the deliberate removal of a page from a document.

Summary of Complaint against Judge Michael

Family Court Maricopa NE

1. Judge acted dismissive and refused to listen to my issues as a respondent and made negative prejudicial remarks at one or more of hearing that demonstrated a total lack of fairness
2. Judge practiced cronyism between Plaintiff's attorney after it was established that attorney had relationship with one of his cronies **Event Five telephone conference**
3. Judge helped or led attorney out of false statements made by attorney under oath, in other words he helped her explain away false statements and other issues of misconduct. During both the telephone conference and trial
4. Judge made several errors during the trial and final judgment that demonstrated sloppiness and a lack of professionalism that does not fit a judge.
5. Judge or the court improperly handled a public document
6. Judge failed to sanction attorney when attorney's numerous false statements, fraudulent affidavit of income, false protection order, perjury, defamation under oath and in various motions and a phone conference
7. Judge wrongly overreached in his decision about my wife and I splitting federal tax installment agreement, it is community property and Judge had no right to rule over a federal tax law issue further more he was condensing in phone conference and judge is certainly aware that tax installment agreements are binding on both parties. He was dismissive and refused to listen to my issues
8. Judge made several mistakes in final judgment including that I did not turn in my 2010 tax return for 2 months, the attorney demanded my 2010 W2 statement because she wanted the judge to file a motion of delinquency double her fees because I had accused her of misconduct, which was the truth, The fact is that I offered to give the judge my 2010 W2 and he would not accept and said it was too late. My wife never turned in her 2010 W2 of taxes Judge exhibited prejudice and a double standard. It was not a fair trial or process
9. Furthermore, Attorney mentioned to Judge that she was involved with ethics mentoring by a crony of his during a telephone conference that was held because I submitted several motions because either the attorney would not cooperate or the judge was intellectually lazy
10. It is my belief that attorney may be romantically involved with a crony of the Judge called James. She mentioned this name at the telephone conference.
11. Judge refused to sanction attorney when it was demonstrated that attorney made false statements in proceedings or in motions or responses to motions. The judge helped attorney walk away from false statements by helping her complete sentences or explanations by calling them mere "typos"
12. Furthermore attorney later validated through materials sent to me that
13. Judge failed to do basic junior high level math by adding my wife's wages, time she worked and adding her tips to it to produce the income that I said she was making.

14. Even though the attorney falsely understood the hourly wages, job opportunities in her strict evidence, it is still clear that judge was intellectually lazy or prejudiced and would not do basic math
15. Judge did not allow me to have my pretiral conference or exchange of materials with attorney which I suggested a nuetral site because attorney made false and defaming remarks towards me
16. Judge was given copies of motions where attorney made defaming and derogatory remarks and refused to either sanction or controll attorney either embolding her to submit false statemtents and material ommissions one after the other,
17. Attorney said she stood behind such stupid false portection order even though the attorney handled, and knew that allegations were false based on her knowledge of case and facts.
18. Attorney stated to judge in a response to one of my many motions that she stood behind such protection order allegations. She stood behind it so much that she did not return the order for process in New York.
19. Judge made several errors in his judgement he stated that I did turn in 2010 taxes which is definitely an error,
20. Attorney demanded my 2010 W2 after I submitted motions about her misconduct, the false statmentsm fraudulent affidavit of income, her rude behaviour, her involvement with the filing of false protection order which she lied to judge by stating that she stood behind such protection order when she never returned processed and there were pages missing
21. Attorney submittted the wrong missing page to judge as evidence, the attorney knew what was the missing page and submitted the wrong missing page
22. My wife and I are equally liable on join tax returns and installment agreement and judge acted sacrcastically and refused to listen to what is common tax law in a community state. He also made a common on the final order stating that I am not to seek repayment of taxes from my wife. Which is not his legal postion to do so. He overreached his authority and now I will seek repayment of taxes because I have a legal right and this judge doesnot have the right to null and void a joint federal tax installment agreement for my wife and I. This is beyond his authority.
23. Judge made a comment on final judgement that I showed malice towards my wife and attorney and I want to make it clear that his enlightened personal biased opinion is dead wrong. I still love my wife, I was a good husband, She simply abandoned my marriage to shack in adultery with her domestic parter and fellow adulterer Aleksander an employee of which is the weapons creators for the army as ac chemist at Fort Picanny, NJ
24. He made very condensing and personal immature and juvenile remarks about my wife should not get alimony from me because she is supported by her friend. I want to make it very clear to this judge that was a very pompous statement. Very stupid, statement which turns into fairtale love but is case of serious abandonment and adultery and an attorney who was willing to push the envelope to hurt me.
25. Judge should be aware that adultery is still on the criminal code in Arizona and New York
26. His smuggless in leading or helping the attorney walk away from false statements and possilbe perjury is very disturbing. A **God like person** who thinks he can make random decisions that help individuals break the law is unterly rehensible
27. Judge said I had malice towards attorney, attorney demonstarted misconduct and filed a bougus protections order and I would like to know how the Judge would have reacted to a false protection order if it was placed on him from out of state with the ramblings of a child to damage him in front of a court conference that attorney deliberately made a false statement to ask for conference. Attorney deliberateley used mother as a absolute means to get a conference setup before a judge. Since this was totally bogus she should pay for it not me.,
28. Attorney ws given complete leeway and the judge was totally dismissive and not listening to

what I had to say.

29. Attorney on one or more occasions continued to email me after she was told by email to cease and desist and attorney continued to email without my authorization. The last email the attorney email to me stated that I was a sick man and needed help This was after the 6th or seventh time I demanded that she cease and desist. After the seventh time, I believe it was the seventh I emailed her another cease and desist email – submit now. As I know that the attorney was unstable and on a powertrip. That is when she emailed me that I was a sick man and that the judge would not listen to me. I am just curious as to why she thought she had the judge in her hip pocket?
30. She said during the trial that I sexually harassed her by stating she submit now, this was a material omission after at least a half dozen times telling her to cease and desist her emails and she continued to aggressively violate my rights. Well, in court she said that I was sexually harassing her. I just want to make it clear that I never will or had any interest in Paula Burnstein and that I was a faithful married man until my wife left and abandonment note. I want to make it very and in a kind way that she is repulsive to me. I think is fundamentally and immoral person who has money as her god. She is a very sad, empty person what did she accomplish? She lied enough to the court that Judge anything goes if you are an attorney awarded 75 percent of her adultery fees. From a man who was already destroyed and beaten after his wife split in the middle of the night with thousands and thousands of dollars of bills. So, her adulterous domestic partner devises a scheme to keep Violetta from earning any money so she would not pay any portion of the bills we incurred together, And this court decision is total travesty and any time I play back this judge helping the attorney walk away from false statements by saying or interjecting that she made a typo instead of warning or sanctioning this attorney would make blood boil but I learning to be clam and to pray.

What I would like is for either the videos or audios of Resolution Conference, Phone conference that was recorded under oath, two trials, and the Original ERC conference

I also would like the commission for the Judge to disclose his relationship with the Colleague that Paula Burnstein mentioned during phone conference when nothing I said or brought to courts attentions was in my favor.

I also would like judge to explain why the court did not use proper document control during Resolution management

Why he did not add up wifes wages and tip income to generate the income plaintiff actually made

Why he did not sanction attorney for various false statements and bogus protection order

Why he helped or step in and led attorney directly by jumping in and stating that is was a typo during last day of trial and judge was fully knowledgeable that attorney made a false statement under oath. I brought to judges attention attorney made a deliberate threat and followed thru and judge jumped in and made an explanation to help attorney walk away from a false statement.

After judge interjected that statement ws just a type the attorney said it takes a long time to get a protection order in New York.. This is on tape the last day of trial. Judge participated in a false statement a type of dog and pony act. As a superior court judge he knows fully that protection orders are granted quickly this was a false statement or perjury on behalf of attorney because the protection orders in New York are issued immediately, go to the clerk and then the judge. In minutes and it is the

same process in Arizona because my wife and I got an order against one of her friends immediately. When judge was aware of false statement on several occasions he should have warned attorney then sanctioned her

I have also filed a complaint with state bar and have mailed a copy to the attorney general.

If judge and attorney had a mutual involvement with a crony I believe that this causes severe problems with the decision. I firmly believe that the mentoring of ethics relationship that Burnstein had with James the mutual colleague of the Judge goes beyond just a mutual friendship.

The first contact with the attorney after I tried to explain to attorney my financial position during my first phone conversation in which the attorney laughed and ridiculed and hung up when I quoted a scripture because she was so adversarial.

I tried to contact her again and she would slam the phone on me and I sent an email complaining to my wife to both attorney and my wife. My wife continued to send email. Well one of the emails to James was accidentally emailed to me and attorney said to him that I was using scriptures something stupid and paranoid and then stated that she did not slammed the phone on me six times but simply hungup because 98 percent of what I had to say was said before the truth is that I never had the chance to say anything and this person who desperately needs time out time in a separate room really needs to see a counselor to further deal with the public. She desperately needs to experience God's love because this whole system is negative wreck.

You hurt the innocent then break up a family then you fairtale by stating adulterous wife in domestic adulterous relationship with a man who tried to destroy her current who made false statements to the army. One of my letters that the overzealous and non stop false statements, missing documents, attorney said to me is that my wife found true love in New York. My wife found true adultery, abandonment of bills responsibility and was enticed by an immoral man child and his mother to live with them to shack up with Aleksander the chemist who works at Ardec in NJ. Such a good man told my wife not to pay or help with bills to not help with taxes. And paid 6000. towards divorce and Attorney tells judge that she is working probono on telephone conference it right there on tape.

I am not making this up it was recorded and documented by motions and response filed with the court.

Keep in mind that my I could produce witness after witness supporting that I was a kind and doting husband. My wife stated in her abandonment note that I was a good and kind man.

To the best of my knowledge everything I submitted is true,