

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-011

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Judge:	No. 1460210809A
Complainant:	No. 1460210809B

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**ORDER**

The complainant alleged a superior court judge failed to rule on several motions in his child custody and visitation case and failed to report opposing counsel to the state bar.

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 all of the information provided by the complainant and various court records, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The recording failed to substantiate that the judge behaved improperly toward the complainant. The remaining allegations involve legal issues outside the jurisdiction of the commission. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: March 7, 2013.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on March 7, 2013.

*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

2013-011

COMPLAINT AGAINST A JUDGE

Your name \_\_\_\_\_

Judge's name: \_\_\_\_\_

Date: 11/15/13

**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.

- 1) Violations of Article VI § 21, Arizona constitution, Rule 91 (e), Ariz. R. Supreme Court, Canon 2(A), 3(B)(2) and 3(B)(3). Judge \_\_\_\_\_ has, on more than 15 occasions, violated the 60 day rule set forth in Art. VI § 21 of the Ariz. Const., Rule 91(e), Ariz. R. Sup. Ct., and Canon 3(B)(2), Code of Judicial Conduct in the matter of In re Hillegass and Coarmon, et al., FC in the Maricopa County Superior Court. In deed, as of the date of this instrument, Judge \_\_\_\_\_ has failed to dispose of a motion I filed on August 23, 2012 and another I filed on October 19, 2012. That represents 145 days and 89 days, respectively, without disposition from the date of submission as of the date of this instrument.  
The record docket in In re Hillegass, FC 2011 - \_\_\_\_\_ is replete with Judge \_\_\_\_\_ consistent and repeated violations of the 60 day rule set forth in Art. VI § 21, Ariz. Const. On July 31, 2012, I filed a Motion for Change of Judge As of Right; or Alternatively Request for Disqualification of Court for violations of the code of Judicial Conduct wherein I outlined these repeated violations of the 60 day rule and attached as an exhibit a spread sheet identifying each motion/pleading and the time of disposition. At the time of that July 31, 2012, motion the court had violated the 60 day rule at least 8 times and up to 12 times. The court continues, is actively continuing, to violate the 60 day rule. Justice delayed is Justice denied. The court's repeated dilatory acts and omissions are causing me significant hardship expense, and that of my family as well. Canon 2(A).
  - 2) On several occasions I placed Judge \_\_\_\_\_ on notice of Attorney acts of bad faith, dilatory tactics, ethical violations, misleading the court, and subversion of justice. In deed, the record in In re Hillegass, FC 2011 - \_\_\_\_\_ is clear with the repeated violations by attorney \_\_\_\_\_ and the court (Judge \_\_\_\_\_) was aware of them. Judge \_\_\_\_\_ violated Canon 3(D)(2), code of Judicial conduct, by failing to take appropriate action when he was on actual and constructive notice of attorney \_\_\_\_\_ repeated ethical violations in In re \_\_\_\_\_ FC 2011 - \_\_\_\_\_
- \*I won the case, I'm not a sure loser. Justice was subverted and denied in this matter.