

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-104

Judge:	No. 1101514673A
Complainant:	No. 1101514673B

ORDER

The complainant alleged a superior court commissioner violated the Best Evidence Rule in his case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 complaint and four recordings of the underlying proceedings, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 21, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on August 21, 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

2013-104

COMPLAINT AGAINST A JUDGE

Your name: _____ **Judge's name:** _____ **Date:** 4/29/2013

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.

My objection is that _____ seemingly grossly-violated the legal Best Evidence Rule.
The _____ not only did not enable countering evidence to be admitted, but his first words in the
recorded proceedings were that he had not read any of the evidence from me and my
attorney _____ which is fully-comprehensive in representing our side of the Hearing.
Yet, receipt of this full written evidence had been recorded as received by I
at Court fully six days before the Hearing. _____ having been prepared only
for the position opposing mine, thereupon admitted only that opposing contention and
completely disallowed our evidence, further violating the Best Evidence Rule.

Moreover in violating the Best Evidence Rule, _____ admitted verbal-
evidence of only my daughter, who was opposing my position, thereby eliminating verbal
refutings of my countering position. The _____ did this upon rejecting the verbal
objection of my lawyer _____ that the entire evidence subject underway did not conform
to the Hearing agenda of first deciding upon whether "...a need for interim protection and the
appointment of temporary Guardian and a temporary Conservator..." is appropriate. This
first step had been clearly defined and sequenced in written submission from my opposing
daughter's lawyer _____ correspondingly recored by the Court Deputy
Clerk.

As an individual, I am shattered by these seemingly-gross legal violations in the Hearing.
I appeal that the facts hereby presented be officially confirmed and that corrective legal
actions thereupon be taken.

