

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-147

Judge:	No. 1090614701A
Complainant:	No. 1090614701B

ORDER

The complainant alleged a superior court commissioner improperly admonished him, provided legal advice to the opposing party, and did not allow him to present all of his testimony.

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, the commissioner's response, and the recording of the proceeding, 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 20, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and commissioner on August 20, 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

2013-147

COMPLAINT AGAINST A JUDGE

Your name: _____ Judge's name: _____ Date: 06/11/2013

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.

I _____ am filing a complaint against _____ through the
State of Arizona Commission on Judicial Conduct.

On May 16th, 2013 at 1:30 pm in courtroom _____ I had a Order of Protection hearing held at
the _____ I was the victim
of Domestic Violence Assault by the defendant listed in the Order of Protection
on April 25th, 2013 that she ended up being arrested for. I had _____ served with
the Order of Protection while she was in jail on April 25th, 2013. _____ contested the Order of
Protection and we were given a court date of May 16th, 2013 to appear for our hearing with

During the hearing I spoke about the assault that took place against me at my residence,
however further facts were not brought forward due to the fact that the defendant
_____ didn't dispute the Order of Protection and stated she wanted the Order of Protection.
_____ lectured _____ on waisting the courts time in asking for the
hearing.

At approximately 2:32:17 _____ lied to _____ and told her that I use my
authority as a Police Officer and that I would play games with her when it's time to exchange
our son. I testified that I have never kept our son from _____ at which _____ stated how
she would give me a stern warning because she knows my back ground as a Police Officer
and I need to obey the laws. I don't know why _____ felt the need to warn
me because I never abused my power as an officer and their were no facts to prove that.
_____ listened to _____ lie who assaulted me and gave me a unnessary
warning.

(Attach additional sheets as needed)

continued to lecture me saying don't use your background in the law to disadvantage her (meaning) in any way. This is something I never did I'm a victim here and it seems continued in her woman advocate mode and stated if the mother (meaning) comes back to her in 20 minutes asking for an Order of Protection that she will likely grant it based on the testimony she heard. then stated that she found us both to be disorderly and probably my girlfriend as well.

The fact of the matter is didn't listen to the complete testimony. As a Plaintiff in this case I have the right to defend myself and was unable to testify in rebuttal based off testimony. remarks were out of line regarding my witness whom was never given the opportunity to testify. I feel to attack a victim and his witness is just unprofessional and wrong.

states the court finds this to be a mutual combat situation and that I know exactly what she's talking about. It seems as if doesn't know what she's talking about because I was at my home with my child a day that I'm suppose too have visitation with him. hasn't lived in my home since August 9th, 2012 and hasn't been to my house, but the day of our divorce hearing April 25th, 2013 decided to come to my house with another female who made false statements against me to my job in the past.

continued to state in open out how an Order of Protection can affect my job as a Police Officer and already knew that I was aware of it. statements were clearly too inadvertently advise Linda on how she could cause issues to my job status. For instance went on to say "Sir if you get arrested you could lose your job". I was the victim of an assault and I was being attack. I felt that felt that "men" can't be victims as well.

then stated that an Order of Protection can have serious consequences on me because I won't be able to carry a weapon. (I'm a police officer and my weapon is needed for work) As I was trying to further explain myself to that I was at my home and was assaulted I was told to stop talking for a minute. goes on to say "If she (meaning does get an Order of Protection on you and your not weapons prohibited if you ask for a hearing and then lose your weapons prohibited so keep be mindful of that".

elaborates more on this issue and says "It is often times we will issue an Order of Protection, but we will not check the box for weapon because there's no weapons allegations, but if you ask for the hearing and lose then we make certain finding later then you are weapons prohibited it's a Federal Law."

I feel strongly gave legal advice on getting an Order of Protection against me and how to do it regarding the weapons prohibited box. This advice caused a light bulb to go off in head to manipulate and abuse the Judicial System and to cause an issue with my job status. went the following day May 17th, 2013 in front of and Petition the court with an Order of Protection against me.

Being that we just had court the day before and the Order of Protection was granted to stay against
one would think with [redacted] experience she wouldn't have even granted
her an Order of Protection to be wrongfully filed against me. I will be filing a response to the Order of
Protection that I was served with on May 18th, 2013 and will be requesting a Change of
for that hearing in

I feel [redacted] abused her authority which I question her integrity and her ability to
rule fairly. Please take the time to review the evidence [redacted] from May 16th, 2013 the
day of the hearing and May 17th, 2013 when [redacted] Petition the court with an Order of Protection against
me in which I've enclosed along with this complaint against