

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-159

Judge:	No. 1056914704A
Complainant:	No. 1056914704B

ORDER

The complainant alleged a superior court commissioner refused to correct an erroneous child support calculation.

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 review, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: July 25, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and commissioner on July 25, 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

2013-159

COMPLAINT AGAINST A JUDGE

Your name: _____
Commissioner
Judge's name: _____ Date: 6/19/13

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.

On November 14, 2012 made an
unjust mistake for a child support Enforcement and Modification
Hearing. In this hearing used Tax Returns for my wifes
Business So I was attributed income in the amount of
43.50 this resulted in my child support obligation to significantly
Increase my child support. Pursuant to A.R.S 25-320
Child support is calculated pursuant to the gross income of parties.
In the Appendix, Specifically item 5(c), gross income from self-
employment means gross receipts minus ordinary and necessary expenses
required to produce income. Furthermore, Item 5(f) states that
"only income of persons having a legal duty of support shall be
treated as income under the guidelines" In this specific case,
the court would not allow testimony regarding the ordinary
and necessary expenses associated with the
gross income on Tax return was relied upon for
the calculation of child support. Regardless, as this is a community
property state both myself and wife share an equal one-half
interest in the corporation that is known as
As such, I am only entitled to one-half of the profits of the
business, yet the child support calculation attributed me the
entire amount of income earned by the business. therefore,
my wifes income was used in a calculation for child
support for minor children who are not biologically her
children. As such, the child support calculation is incorrect
and unjust. I tried to let the court know of their
incorrect order but was not heard and denied motions

for relief and Clarification to this day

I am still attempting to fix this problem

and face the possibility of Incarceration

due to the child Support that was

unjustly attributed upon me I cant

afford to make the \$1,500 dollar

(payment, I ask that a full

investigation be initiated as to Commissioner

Capability to act in the interest of the

people of Arizona without prejudice.