

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-231

Judge:	No. 1056914759A
Complainant:	No. 1056914759B

ORDER

The complainant alleged a superior court commissioner was biased and prejudiced against him and his attorney.

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. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: October 23, 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 October 23, 2013.

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

September 9, 2013

Commission on Judicial Conduct
 1501 W. Washington Street, Suite 229
 Phoenix, AZ 85007

Judicial Misconduct:

Regarding _____ **on Thursday, May 2, 2013 at the**
Maricopa County Superior Court Northeast Complex Case Number # _____

Socrates said, "Four things belong to a judge: to hear courteously, to answer wisely, to consider soberly, and to decide impartially." Justice should not be molded by the individual idiosyncrasies of those who administer it. A judge should adopt the usual and expected method of doing justice, and not seek to be extreme or peculiar in his [or her] judgments, or spectacular or sensational in the conduct of the court.

What happened to my attorney _____ and me on May 2 at 9:30am at the Maricopa County Superior Court Northeast complex in Phoenix was a mockery of the judicial system. On this very particular day, Commissioner _____ a Superior Court commissioner in Maricopa County, a former Prosecutor, Maricopa County Attorney's Office, a former Police Officer, and a former Intelligence Officer, Central Intelligence Agency committed gross misconduct by exhibiting bias and prejudice against my lawyer and me by unquestioningly accepting a forged photos exhibit from _____ attorney for my wife

The photo of concern was, according to _____ taken by her in 2009 for future litigation. She stated that the image depicted – the torso of a beaten child – was our son, after I had hit him. Yet, she has repeatedly insisted, under oath, that neither her or I have ever hit our son. I have said the same, because it is true. However, on May 2, 2013, _____ presented what she called photographic evidence to the contrary, and what I call blatant ambush and forgery. The image is not of our son – there is no head, no legs depicted – and was, I believe, lifted from the Internet.

This 'evidence' was accepted only a few minutes before the hearing, before it could be examined by others. Despite my lawyer _____ objection to the exhibit, Commissioner _____ accepted the photos as exhibit #4. I feel the reader will agree that this was mishandled and problematic. Thus, I am requesting that the commission allow my lawyer and me to examine the exhibit, and to permit our sending the photos to Police Forensic laboratories for examination. At present, we have no access to these photos, and have been denied repeated requests for copies. This is injustice at its best. Here you have a black man married to a white lady in a white court room, being treated as a monster for reasons even a simpleton could see are fabricated. This is not what the American justice system should stand for, and I am appealing to your benevolence to look into this very important matter.

Commissioner _____ prejudices the outcome from the outset, refuses to allow any reasonable

discovery and questioning, misuses and abuses judicial authority in the most horrific and obnoxious manner while allowing for the grave denigration of the integrity, power, and legitimacy of the judiciary.

Commissioner chose the plaintiff's side early on and then turned every meeting with counsel into an opportunity to abuse the defense's side. She used offensive and inflammatory language – such as 'kidnapping' – without cause or justification. Being prepared made no difference, as she made her rulings with no regard to applicable law and would not tolerate any of our oral argument on the law which should have applied.

Finally, Commissioner should have maintained an aura of impartiality by asking questions of witnesses after the conclusion of all examination by the attorneys. She refused. Furthermore, a judge should guard against conveying partiality through wordless conduct such as a dismissive gesture, look of disbelief, or bored closing of the eyes.

Commissioner is apparently unaware of these standards, as she exhibited all the above behavior and more.

I, therefore, requesting from the commission a review and the analysis of the purported forged photos for review. All what we want is justice.

Thank you for your time.