

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-128

Judge:

Complainant:

ORDER

The complainant alleged that a superior court commissioner was biased and held an improper ex parte hearing.

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: July 9, 2014

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on July 9, 2014

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

2014-128

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

ON OR ABOUT _____ WITHIN A BIAS EX PARTE RULE 11
HEARING PRESIDED OVER BY _____ SHE
BLATANTLY REFUSED TO EXPLAIN ANYTHING TO THE DEFENDANT
HER REPLY TO ANY INQUIRIES OF THE DEFENDANT; WAS; "IT
DOES NOT MATTER YOU ARE INCOMPETENT" TO EVERY QUESTION
PRESENTED TO HER BEFORE HER COURT ON RECORD.

MOREOVER, SUCH ANIMOSITY TOWARD THE DEFENDANT WAS
UNWARRANTED AND PREJUDICIAL OF THE DEFENDANTS' GENUINE
LEGAL CONCERNS AND INTERESTS REGARDING THE EX PARTE
RULE 11 MOTION AND HEARING.

SUCH BIAS ACTIONS ARE VIOLATIONS OF ARIZONA CODE OF JUDICIAL
CONDUCT AS FOLLOWS:

RULE 1.2. PROMOTING CONFIDENCE IN THE JUDICIARY.

A JUDGE SHALL ACT AT ALL TIMES IN A MANNER THAT PROMOTES PUBLIC CONFIDENCE
IN THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL
AVOID IMPROPRIETY. [IMPROPRIETY = AN IMPROPER ACT OR REMARK]

1). ON _____ THE DEFENDANT INQUIRED OF COMMISSIONER - SPENCER: "WHAT
IS THIS ABOUT I GOT BLIND SIDED BY THIS?" HER REPLY - "IT DOESN'T MATTER
YOUR INCOMPETENT". THE DEFENDANT INQUIRES YET AGAIN OF SAME
"WHAT ARE THESE LETTERS YOU KEEPSAYING?" HER REPLY YET
AGAIN - "IT DOESN'T MATTER YOUR INCOMPETENT" ... WITHOUT ANY
PSYCHOLOGICAL ASSESSMENT.

2014-128

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

2). THIS IS IMPROPRIETIES SHOWN BY SAID COMMISSIONER IF THERE IS ANY DOUBTS ABOUT WHAT THE DEFENDANT STATES SUBPOENA THE TRANSCRIPTS FOR RULE 11 HEARING IN CASE

3). WHEN DEFENDANT TRIED TO ASK HIS "DEFENSE" COUNSEL (FORMER) WHAT WAS GOING ON HE BLATANTLY WALKED AWAY WITHOUT ANY RHYME OR REASON REFUSED TO ANSWER OF THE DEFENDANT'S INQUIRY;

4). THE RESPONSE GIVEN BY _____ PART IS FOUND TO BE DISRESPECTFUL, UNWARRANTED AND BIAS AND OUT OF HER FIELD OF PROFESSION UNLESS SHE HAS A DOCTORATE IN PSYCHOLOGY OR PSYCHIATRY AND BY LAW FULLY AUTHORIZED TO PSYCHOANALYZE AND ASSESS THE DEFENDANT WITHIN HER TEMPORARY JUDGESHIP.

5). THE DEFENDANT STRONGLY BELIEVES HIS 5TH AMENDMENT RIGHT WAS AND HAD BEEN BLATANTLY VIOLATED BY BEING COMPELLED TO TALK TO PEOPLE WHO ONLY STATED TO BE *COURT ORDERED* PEOPLE (EG: DR. SO-N-SO, AND SOCIAL WORKER) WITHOUT PROVIDING PROOFS OR ANY LEGAL CREDENTIALS OR IDENTIFICATIONS TO THE DEFENDANT, AS WELL AS FAILURES TO PROVIDE ANY "COURT ORDER" DOCUMENTING ANY OF THEIR CLAIMS THE DEFENDANT ASKED FOR COPY OF SAID "COURT ORDER" AND NO ONE WOULD PRODUCE OR DURING ANY "RULE 11 MOTION" FILED PREJUDICIALLY BY ONE

6. How Does This Apply To Judicial Duties of
FROM THE DEFENDANT NEVER BEING BEFORE HER OR HER
COURT EVER BEFORE THE FEIGNED RULE 11 MOTION MALICIOUSLY ENTERED
AGAINST THE DEFENDANT FOLLOWING THE PAR COMPLAINT AGAINST

RULE 2.3 BIAS, PREJUDICE, AND HARRASSMENT

A. A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE, INCLUDING
ADMINISTRATIVE DUTIES, *WITHOUT BIAS* OR *PREJUDICE*

By STATEMENTS AS OF: WHEN
BEING ASKED BY THE DEFENDANT - WHATS THIS ABOUT AND HER RESPONSE
- "IT DOESN'T MATTER YOUR INCOMPETENT"... NOT ONLY ONCE BUT
TWICE WITHIN THE VERY SAME "HEARING" ON THE MALFEASANCE AND
MISFEASANCE OF (FORMER) COUNSEL

RULE 2.6 ENSURING THE RIGHT TO BE HEARD

A. A JUDGE SHALL *ACCORD TO EVERY PERSON WHO HAS *A LEGAL
INTEREST* IN A PROCEEDING, THE RIGHT TO BE HEARD ACCORDING TO
LAW.

WHEN THE DEFENDANT WAS OVERTLY AND BLATANTLY SHUT DOWN BY
WITH HER STATING - "IT DOESN'T MATTER
YOUR INCOMPETENT"... IRREVOCABLY DEPRIVED THE DEFENDANT:

1. THE RIGHT TO BE HEARD REGARDLESS OF WHAT TYPE OF HEARING
... RULE 11 OR NOT.
2. CIRCUMVENTING THE DEFENDANTS - PROCEDURAL, FUNDAMENTAL
AND SUBSTANTIVE DUE PROCESS RIGHTS.
3. BECAUSE THE DEFENDANT HAS A LEGAL INTEREST WITHIN ALL OF
HIS PROCEEDINGS NO MATTER WHAT COURT THEY ARE TO BE HEARD.
4. THE DEFENDANT PROVED HIMSELF COMPETENT DESPITE
ALLEGATIONS

WHEREFORE, THE DEFENDANT.

PRAYS FOR SAID

SUSPENSION FROM ANY FURTHER RULINGS WITHIN ANY
COURT WITHIN DETERMINING ANY ONE'S COMPETENCY TO STAND ANY
TRIAL THROUGHOUT COUNTY OR THE STATE OF ARIZONA
IN GENERAL - RESPECTIVELY.

RESPECTFULLY - IN GOOD FAITH,

SUBMITTED BY:

THIS

DAY OF