

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-141

Judge:

Complainant:

ORDER

The complainant alleged that a judge was biased against him and reached an incorrect result.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge 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.

The commission does not have jurisdiction to review the legal sufficiency of the judicial officer's ruling. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: September 10, 2014

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on September 10, 2014.

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

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

Re: The Honorable

The Honorable _____ over saw the court proceedings regarding this case.
The case number for the trial was, _____ The individual names involved in
the cases are as follows:

Birth mother of the child:
Her attorney: Attorney _____

I petitioned the Court on this matter in _____ Throughout the proceedings and the
inability of Attorney _____ and me coming to an agreement, we eventually went to trial on
During that time there were questionable events that occurred. I am
seeking an investigation from this commission in regard to judicial misconduct.

The first question of impropriety occurred in late _____ when out of the blue an article
appeared in the _____ in regard me working for _____ stating I was
a _____ who had been accused of _____ I found it upsetting that the
editor had the audacity to put in the paper information which was inaccurate at best. He did
have the decency however to explain that I was acquitted of those allegations. I found it
interesting that this article appeared significantly during the time when I was seeking to obtain
my "grandparents rights". I brought this to the attention of Judge _____ and Attorney
_____ and I met in court to deal with these matters. Attorney _____ not under oath
denied that he had done or have someone contact the _____

I also found it interesting too, that I work for _____ where there is a contingency
of employees including the Superintendent, who is of the same _____ persuasion of the
respondent and her grandfather, _____ which is _____ I have no proof
on this matter but I believe that either _____ encouraged someone he knew in
_____ or a member of his family went to the _____ to specifically disrupt my life
along with jeopardizing my employment with _____ I have had to obtain an
attorney to deal with _____ which remains unsettled along with them being unfair
in their proceedings. I also have filed a formal complaint with the _____
_____ This has been most disconcerting if Attorney _____ had
directed someone from his family or someone else to go to the newspaper out of spite and
intentionally disrupt my life and employment which is my livelihood.

The second question of impropriety is this. My son _____ was bribed with cash by the birth mother and the _____ family to relinquish his parental rights. He was told by the birth mother along with the maternal grandmother present and an aunt that this was being asked of him so the birth mother could take the child to the hospital and he wouldn't have to be present. He was also told that he would be able to see his son. Two weeks later he was served a restraining order not to have contact with the birth mother or the child or with anyone from the _____ family. My _____ did not inform me of this until much later. He was not given legal advice about the ramifications of such a drastic decision as a parent. Grant it, he was _____ and legally he is an adult, however I believe he was taken advantage of due to his lack of legal knowledge in making such an absurd decision about _____. I have asked him to fight to overturn this decision but he does not want to deal with this family! Again on the part of Attorney _____ I find this as an abuse of his position and misusing his legal expertise at the expense of the birth father who truly didn't grasp the depth of such a decision.

In one of the proceedings with Judge _____ I presented these concerns in court regarding Attorney _____ who was not under oath, but denied that he had anything to do with contacting the _____. He also denied in a hearing that _____ was not bribed with cash monies of _____. During the trial on _____ I cross-examined respondent _____ (birth mother of the child) about the transference of _____ cash monies, she under oath denied that monies were given. I posed the question twice, even stating and reminding her she was under oath; again Ms. _____ denied that she gave _____ in cash. I want to reiterate that Ms. _____ her paternal grandmother Mrs. _____ and aunt were present with _____ when monies were exchanged.

The third legal and judicial matter of impropriety is in regard to the court proceedings with the Honorable _____. In our first court appearance I found Judge _____ interactions with Attorney _____ inappropriate. She had mentioned in court how she had so much respect for him and how when she was either a student in law or as a novice attorney, she held high respect for him. That initial encounter, I felt that Judge _____ should have recused herself from this case. It was totally inappropriate and surely left me in a challenging place and exhibited at least to me, favoritism from Judge _____ toward Attorney _____.

Attorney _____ went on the Internet to print out numerous files of mine that the _____ has placed on their website. The _____ information on the Internet regarding me isn't accurate. Yet Attorney _____ presented numerous statements during the court trial (grandparents' rights) that were openly damaging to me and were not even allowed during my criminal trial _____ for legal reasons. I objected numerous times during the trial that his questions did not pertain to this trial. Judge _____ allowed Attorney _____ to continue his questioning which I believe were against my Civil and Constitutional Rights that a person **cannot be tried twice, "Double Jeopardy!"**

Judge _____ a week following the trial gave her final decision. The decision was that I would be able to visit with _____ every _____ at the _____ where the birth mother resides "under supervision." I was most upset with the decision first of all; I don't need to be supervised because of the birth mother and Attorney _____ and this family maintaining prejudicial and bias judgment of my unfortunate situation being falsely accused. My response was a letter to Attorney _____ stating my reasons for me choosing not seeing my _____ under those guidelines. I also wrote a letter to Judge _____ stating my _____

disappointment with her ruling and I also stated I felt she should have recused herself due to her initial responses with Attorney

I am not certain if your office investigates such legal matters, but I hope you do. It is a sad commentary when individuals who have authority as does Attorney to take the liberty to abuse his position which I believe he has done. I would have hoped that both of our families would have done whatever we could to facilitate these young teens to be responsible for the livelihood of the child in question. Sadly, the whole matter has been conflicted based on the birth mother being upset that my son would not move towards marriage and he would not become a Therefore she along with her family has taken this unfair and unjust stance to limit the total development of the child in question. The whole matter is not only sad but tragic!

My can be reached at my address or on his mobile phone at:
if you see a need to question him about the bribe. My hope is an investigation on the issues brought forth deem worthy of your office as Attorney General for the State of Arizona. Thank you for your time and concern. Your response to this matter is deeply appreciated!

Sincerely,

Enclosures:

The Honorable
My letter of
My letter to
(Legal Representative for respondent and paternal grandfather)