

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-153

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge applied a double standard, and made various erroneous rulings.

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.

After review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Also, the commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. 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 judge on July 9, 2014

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

State of Arizona
Commission on Judicial Conduct
1501 W. Washington St. #229
Phoenix, Arizona 85007

Re: Complaint against **Judge**
Case No.

Dear Sir or Madam:

I do feel compelled to write to this commission on Judicial conduct, because the decision rendered in _____ case under **Case No.** by Judge _____ a _____ Judge, is a travesty, because of the following:

1. Within days of what The Court calls a trial, **Petitioner** _____ filed several documents including a financial affidavit, full of unsubstantiated fabrications.
2. It is apparent that all of Petitioner’s fabrications were given full consideration.
3. **Respondent,** _____ rushed to respond to Petitioner’s last-minute filing, however he feels that his speedy response was not given any consideration.
4. It was obvious to Respondent during the so-called trial that the Judge had not read all of Respondent’s reply to Petitioner’s “Financial Affidavit.”
5. Respondent was required to give documentation to support all issues of concern. Petitioner was not held to the same standard, she did not substantiate or give any documentation to support her claims.
6. Judge _____ granted Petitioner everything she asked for without any documentation.

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- 7. The Judge’s Decree of Dissolution came while Respondent was still writing his response to Petitioner’s late filing, a response which was obviously not considered.
- 8. Respondent did file a formal request to continue or extend the trial date to allow ample time for Respondent to reply, however, he was not given that additional time. The judge decided to go forward with the trial without allowing me the opportunity to express my side.
- 9. On the issue of Judge states “other than testimony, neither side presented any documentary evidence providing his or her point!”. This statement is totally inappropriate and wrong.

Respondent provided check stubs showing proof that he continues to provide 100 percent of the medical, dental, and vision care. Also, there was no dispute about the fact that Respondent has voluntarily paid the mortgage, thereby providing a place for to live, since the separation more than ago. Respondent thinks that that too should be considered

- 10. Page No. 6, under second paragraph, Respondent did request The Court to examine more closely Petitioner’s claim that she earns only per month. In fact, Respondent recommended The Court should order Petitioner to show proof of earning only per month. Respondent knows for a fact that Petitioner would not work for anyone for less than minimum wages. How is it then? The statement is her own.

Justice is supposed to be equal. Respondent wants to know what is equal about a double standard. Respondent questions now as he did during the process: Why was Petitioner not required to produce proof of her claim, such as check stubs, bank statements, and more than one.

The Court is overreaching – to order spousal maintenance, without reviewing the financial facts, and without considering the financial devastation it might cause the Respondent.

How is it that the judge has deciphered that Petitioner was not truthful about providing the majority yet he accepted the lie about her income?

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The judge ordered "Equalization" without holding Petitioner responsible to submit the same documentation required of Respondent. Respondent knows Petitioner is not truthful concerning her income and he did inform The Court on several occasions.

The order for Respondent to pay Petitioner concerning equalizing the difference between the is unfair because Respondent left Petitioner a house full of furniture and furnishings, kitchen utensils, appliances, both large and small. The judge did request a list of these items and articles, however once again, he fell short of holding the Petitioner responsible for delivering the list. After all, she did agree to produce the list, but later the judge would reverse the responsibility and to paraphrase, stated to Respondent that it's too late now, you lost that opportunity. He is, in fact, punishing the Respondent for his own error.

Respondent thinks that spousal maintenance is inappropriate, overreaching and financially burdensome. Respondent wants this commission on Judicial conduct to explain to him why he should pay spousal maintenance for when petitioner will receive approximately or more of Respondent's pension and one half of the same of community real estate, approximately while respondent is living in a rental property, trying to re-establish some of the previously owned household belongings. This Respondent earns less than per year. Is The Court looking at someone else's income?

The judge's description and determination of spousal maintenance is based upon elusive and emotional interjections, not facts. Respondent recommended a way in which The Court could have determined Petitioner's financial earnings. The judge never responded to that recommendation.

In closing, thank you for your consideration. I look forward to a response from this Commission, and any advice you would have that would assist me in moving forward. I have not given up on the idea of filing for an appeal.

Sincerely