

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-200

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace improperly issued an order of protection in violation of his free speech rights and solely based on the gender of the petitioner. He also claims the judge improperly prevented him from presenting evidence at the hearing.

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. 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: August 6, 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 August 6, 2014

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

Judicial Complaint

Court

From:

To: Arizona Committee on Judicial Ethics

Subject: _____ concerning case

Date:

On _____ I had requested in order protection against my ex-girlfriend Ms. _____ for harassing me, leaving gift cards at _____ locations she knew I dined and called my mother on several times in a drunken stupor saying, _____ These incidents started on _____ years after I last had contact with her.

During the court hearing, Ms. _____ admitted leaving a gift card at one restaurant and contacting me on several occasions. Ms. _____ is a known false reporter and has been charged in the past for _____ in several relationships. Her actions against me have been well documented in a book titled “

_____ and the _____ : A Real Hard Look at _____ from a Perspective.” This book is currently for sale on _____ and other fine booksellers. This book details her abusive behaviors for which the _____ and _____ Department settled out of court back in _____. In the book it describes the sexist and demeaning actions by Judge _____ in the _____ Justice Court and the County Attorney’s Office.

Ms. _____ was upset I wrote a book highlighting her _____ and false reporting against me well documented in public record. Therefore, she also requested in order protection against me for expressing my First Amendment Rights as guaranteed under the Constitution and also under the Arizona State Constitution. Although the book is about her, I purposely changed her name in the book to Ms. _____ even though, through legal counsel, I was not required to do so. In fact, this book that was written was done so using public records as listed below and had significant media attention around this case.

Appendix 1:

_____ Department Report

Appendix 2:

Personal _____ dated _____, as disclosed during trial

Appendix 3:

_____ Department Report

Appendix 4:

- Appendix 5: Court
Department Report
- Appendix 6: County Court (Complaint Only)
- Appendix 7: Department Report
- Appendix 9: Department Report
- Appendix 10: Department Report
- Appendix 11: Department Report
- Appendix 12: Department Report
- Appendix 13: Department Report
- Appendix 14: Department
- Appendix 15: Personal dated (with attachment)
- Appendix 16: Department Report
- Appendix 17: Department Activity Report
- Appendix 18: Personal dated
- Appendix 19: Department Report
- Appendix 20: Department Report 2
- Appendix 21: Department Report
- Appendix 22: County Attorney Statement
- Appendix 23: Department Report dated
- Appendix 24: Settlement Agreement dated
- Appendix 25: Threatening between Sgt. and Assistant
- Appendix 26:

Motion to Amend Release Conditions:

Appendix 27:

County Attorney Review of actions.

Appendix 28:

Judge Ethical Failure (partial report), Judicial Complaint

Appendix 29:

Undisclosed pictures in case not submitted during trial.

Appendix 30:

Charge and Review, Department Report

Appendix 31:

Department Report

Appendix 32:

Department Report,

Appendix 33:

County Department report

Appendix 34:

County Department report

Appendix 35:

State Of Arizona, Judicial Misconduct Report Finding

Appendix 36:

State Of Arizona, Judicial Misconduct Report Finding

Therefore, I am requesting the judicial complaint against Judge due to the following ethics violations.

Judge in the Court has now given my abuser a loaded weapon by granting her an order protection for simply writing a book using public records! (see attached) Nowhere in ARS 13-3601 is writing a factual book using public records an act of Judge made a sexist decision from the bench and in no way was this decision based in Arizona Revised Statutes title 13-3602 or 13-3601. The statute specifically states that a restraining order is used "for the purpose of restraining a person from continuing in act included in Writing a book and speaking out publicly about my victimization at the hands of my batterer is not an act of It is free speech as guaranteed under the Constitution of the United States and the Constitution of the State of Arizona. The judge's actions in this case resembles Europe when governments were banning books because they just didn't like what they had to say or pointing out the corruption within the government system. Judge should know better sitting on a judicial post in an American court of law. Judge actions violated ethics rules: **Rule 2.2(1,2,3) Rule 2.3 A, B**

In addition, Judge did not follow the statute as defined in ARS 13-3602E(1)(2) but simply granted my abuser in order protection based solely on her gender. Ms. did not allege abuse of any type except for the fact that a book, published about my experience as a male victim of which does not name her directly, was the sole and only reason for taking out an order protection against me. Judge ; in his

infinite wisdom to assist my batterer in violating my First Amendment Rights signed the attached protection order. Judge [redacted] action violated ethics rules: **Rule 2.2(1,2,3) Rule 2.5**

Judge [redacted] has violated my rights during the hearing when I was not allowed to point out that Ms. [redacted] had walked into the hearing with what appeared to be a black eye and bruises on her arm. When I was going to make this point Judge [redacted] would not allow me to present this obvious fact. Judge [redacted] actions prevented me from being heard in the hearing and once again violating my rights as a male victim of [redacted] and stalking. Judge [redacted] violated ethics rules: **Rule 2.6**

It is my earnest hope that this committee will actually do something in regards to this case. My [redacted] is out in [redacted] formats to be purchased by the public. If I'm not able to market [redacted] about out of fear my stalker will use the justice system to file more false [redacted] reports then I have lost everything, even my First Amendment Rights as guaranteed by the US Constitution and Arizona Constitution. Essentially, [redacted] has taken away my constitutional right to [redacted] about my personal life and story as outlined in public record. My batterer chose to take out an order protection against me because she knew that it was her only method to strike back at me knowing that she would lose hands down in a [redacted] and in a proper [redacted] I request this case be handled immediately due to the nature of my rights being violated by Judge [redacted] ruling.

Sincerely,