

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-223

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made improper rulings, had a conflict of interest, and engaged in improper ex parte communications.

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 judge's rulings. 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: November 13, 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 November 13, 2014.

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

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2014-223

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 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.

Upon discovering drugs in my home, and my ex-wives request that "if I get back on drugs you must do everything in your power to get me off them, because I will go crazy and oy won't be pretty" , my ex-wife _____ My wife works for _____ she had filed an order of protection, which was subsequently thrown out by the court after she had been admitted to _____ who confirmed she was addicted. Judge _____ was assigned to the case and proceeded to rule in irrational, illegal and irresponsible ways.

1) The Superior Court lost multiple applications for a _____ hearing following Judge _____ appointment.

2) Judge _____ violated contractual law by stating "whomever is living in the house should pay for the mortgage" despite their being an agreement in place for Petitioner to pay her legal obligations at the rate of _____ per mont.

3) On _____ Judge _____, in response to a Motion for Hair Follice Testing stated that " _____ is a good friend of mine", and proceeded to rule against the motion without reading or considering it. Petitioners response was not served in a proper manner, nor was I given the opportunity to respond to petitioner's response. Furthermore, despite making this statement, Judge _____ did not give me the opportunity to object to _____ continuation as Judge for this case, as I would have done knowing how corrupt the legal syatem is..

4) Judge _____ failed to enforce Rule 49 mandatory disclosure, and then proceeded to rule on multiple financial decisions without any pertinent financial disclosure being made to assist _____

5) Judge _____ refused to sanction Petitioner's counsel for numerous ethical violations including ER 3.3, 3.4, 3.1, 4.4 and multiple other violations, instead advising me to "take it to the state bar".

6) Judge _____ allowed _____ of _____ to argue that Rule 49 disclosure was not mandatory because I had refused to respond to discovery requests, despite no discovery requests being made. My attempts to interceded were met with disdain and contempt.

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7) Judge _____ final ruling included multiple statements of facts that were not borne out by any evidence whatsoever, but ignored any evidence that called into showed petitioners counsel were in fact lying.

8) Judge _____ engaged in ex-parte communications with opposing counsel as documented in counsels billing statement.

9) Judge _____ refused to read any motions from Respondent, instead ruling without considering case law and the Arizona Ruiles of Family Procedure.

10) Judge _____ awarded full attorneys fees to Petitioner, despite the fact this is a violation of ARS 25-324, which states that the court must consider the financial resources of each party, however as demonstrated in "Respondent's Motion to Dismiss" and "Respondent's Objection To Attorney's Fees", Judge could not make this decision as he failed to enforce the mandatory disclosure laws of the Arizona Rules of Family Procedure.

11) Judge _____ ruled that "Respondent Must Vacate Marital Residence" despite the fact no request by opposing counsel or Petitioner was made in a motion or trial, however an ex-parte request may have been made.

12) At trial, Judge _____ allowed a fully armed female sheriff to enter the courtroom and stare at me during _____ examination.

13) A formal bar complaint has been filed with the State Bar of Arizona who expressed surprise at _____ refusal to hold multiple violations of the Arizona Rules of Family Procedure and the Arizona Rules of Professional Conduct accountable

I guess being a good friend of _____ does pay off doesn't it?