

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-242

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge was biased, prejudiced, unfair, and ruled incorrectly.

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

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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.*

Ref :

**Complaint Against**

It is after much prayers and reflection that I am submitting an official Complaint against Judge \_\_\_\_\_ of the \_\_\_\_\_ Court in the case referenced above \_\_\_\_\_ I would not file this Complaint, if I did not think that fairness and justice was not done in the case.

I believe that the outcome of the case above was biased, prejudicial, and impartial for a number of reasons.

First of all, I do not believe that the Hon. Judge allowed me (the Defendant) adequate time to present my side of the case the same way he allowed the Plaintiff's lawyer. The Plaintiff's lawyer was given ample time to present his side of the case whereas it was not the case for the me, the Defendant.

Also, it appeared to me that the Hon. Judge had some difficulties understanding me perhaps due to my \_\_\_\_\_ but he failed to provide adequate accommodation to allow for a fair hearing. He interrupted me when I tried to present my defense.

Furthermore, I am not a lawyer by training or profession but the Hon. Judge seemed to expect me to conduct my presentation like a lawyer during the hearing which made it hard for me to present my side of the case without duress. He kept cutting me off when I tried to present myself by reading out the fact and evidences I had written in my defense.

I believe that the Hon. Judge reached the outcome of this case as he did because there was lack of thorough examination and factoring of the whole facts and law of the case.

Very important facts of the case that were presented by the Defendant both in filings and during the hearing were ignored resulting in a judgment that does not fit the case. I will briefly explain why I reached my conclusion.

Someone does not get charged with libel when the allegations they are being charged for are truthful and factual and the Plaintiff's case is based on falsehood. This is what happened in this case.

This case involved exclusively two members of an immigrant community residing in Arizona who were part of a formal association recognized by the State of Arizona as The Association therefore by law, is a legal entity. Per the State of Arizona's guidelines, the association called was required to draft a constitution and a bi-law governing the affairs of the association.( see attached) . The Constitution of the association is a requirement by law.

is the democratically elected President of the association. The fact that is the elected (constitutional President of association) chartered by the State of Arizona makes him a 'public figure' by law but the Judge refused to consider or accept that fact. I am not sure what reference of the law the Hon Judge was using but the fact is is a 'public figure'. He is to the immigrant Arizona, what President is to Americans. As evident as this fact is, I am not sure why the Hon Judge failed to recognized someone who is clearly an elected 'public figure' to be one.

The Presidency of the association is a culturally and socially significant role that is highly contested democratically/electorally. As a point of correction to the Hon Judge's characterization of the president in his judgment as a mere volunteer, aspiring members do not volunteer to be president; they are nominated.

After Defendant noticed that Plaintiff was using his role as President of the association like a dictator to bully members and cause unrest in Defendant's household through adulterous actions with his wife, Defendant called on the phone and asked him to stop. does not refute the allegation but he failed to stop and the defendant seeing this as a matter of purely public interest in the community asserted his constitutional rights respectively as a member of the association and his US Constitutional right

to free speech to call \_\_\_\_\_ out in the members-only \_\_\_\_\_ discussion forum. These facts were clearly spelled out in my filings and in the hearing but for whatever reason, I am being deprived my Constitutional rights to free speech by a Hon Judge.

The Hon Judge showed prejudicial and biased sympathy for the Plaintiff even when it was proven beyond questioning that Plaintiff had engaged in adulterous relationship with Defendants wife causing their marriage to collapse. It was made abundantly clear factually that Plaintiff's adulterous actions caused Defendants marriage to irreparably collapse whereas Defendant is left to raise \_\_\_\_\_. Yet, the Hon Judge in his reasoning does not think that the Defendant had a right to defend himself. Instead he thinks that the Defendant must be charged additionally. I find this manner of discharge of justice to be problematic.

I understand that I have a right to appeal a judgment by the Judge but it costs money and time that I do not have. I have been subjected to raise \_\_\_\_\_ and keep a full time job because of a failed marriage caused by the Plaintiff \_\_\_\_\_ adulterous lifestyle.

Finally, the penalty meted on Defendant upon the so-called arbitration does not meet the 'crime' I am being charged with. I was charged the excessive amount of \_\_\_\_\_ despite that the Plaintiff \_\_\_\_\_ marriage is intact, he still has his job, and he is still the President of the \_\_\_\_\_ association.

At all levels of the case, Plaintiff \_\_\_\_\_ blatantly lied under oath about his damages suffered. He brought \_\_\_\_\_ (conflict of interest) who was not a member of the association to falsely testify for him to fatten his damage claim. He lied that as president of the Association he his clout has been diminished and he lied that the \_\_\_\_\_ association of about \_\_\_\_\_ members has seen about \_\_\_\_\_ members stopped coming to meeting because of my emails which are all lies.

It is against the law for citizens to lie under oath to get a certain amount of reward or to sway the outcome of a legal process in court.

By the way arbitration process in itself was loaded with falsehood; the process should never be classified or called arbitration. It should be appropriately classified as sentencing. I was told by the arbitrator \_\_\_\_\_

\_\_\_\_\_ that I do not have to bring in any evidence (essentially I could not defend myself) during the co-called arbitration process. I was reminded that we are there

simply to measure the extent of the damage. This felt like jungle justice I experienced in  
I am the one without a wife or marriage; I am the one raising under  
yet I cannot defend myself in a country of laws such as the US.

Maybe if I had money to pay for a big name lawyer, the outcome would have been different. It saddens me.

I pray that this matter is thoroughly investigated and I hope that there is no retaliation for me speaking to truth to power because that is what was doing too.

Thanks and God Bless America