

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-327

Judge:

Complainant:

ORDER

The complainant alleged that a superior court judge did not follow the rules of procedure or law.

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 5, 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 5, 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

2014-327

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.

Judge _____ Does not respect nor follow the rules of the _____ court, on _____

I was served a summons and petition for a court order for _____ decision making _____

Parenting time Order and notice to attend Parent Information class. I filed my answer and completed the class. _____

_____ the petitioner filed for _____ orders _____ I was _____

served an Order to appear on _____ orders. in which stated Both parties shall exchange updated _____

disclosure statements required by Rues 49 and 50 . I was only given _____ days _____

to prepare, I had no time for exhibits or anything else Please note this order was signed and dated _____

Due to the lack of time given and the rules of service giving no less then _____ days _____

I filed a motion the next day, _____ I filed a motion to continue and a change of venue since _____

I reside in _____ and the Petitioner was residing in _____. I mailed a copy to the Petitioner. _____

Judge _____ did not respond until _____ at which the motion was denied. The hearing _____

was set for a trial and I had my mother as a witness to the petitioners anger and his _____

~~anger and~~ his throwing things in our home but the Judge did not allow for her to speak. _____

He also did not really allow for us to speak because he preached to us for the duration of the time. _____

_____ asked the Petitioner about the change of venue and the Petitioner agreed until _____ told _____

Him that we would see another Judge and would most likely have to change the date _____ had _____

already set for out next hearing so the Petitioner then changed his mind. Trial was set _____

for _____ I appeared and the Petitioner did not, the judge questioned me as _____

to where the Petitioner was and I had no clue we waited for _____ then the judge _____

dismissed the case and explained that if the Petitioner had good cause for not being there _____

he could file a motion and and have the case re-instated. _____ the Petitioner filed _____

petition for _____ Orders again. _____ Judge _____ re-instated the case and consolidated the new _____

case number the Petitioner was given, Nothing was filed by the Petitioner and there was no good cause _____

for the Petitioner to have missed our court date he stated to a court adviser that HE FORGOT. _____

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As soon as I was notified as to the consolidation I immediately filed a motion to transfer change of venue.

that was on _____ at which Judge _____ denied on _____ later.

Then on _____ I was served an _____ on _____ for _____. Orders again.

I then filed a motion to continue due to again being served _____ days prior to the hearing and

therefor unable to follow rule 76 and presenting my pre-trial statement _____ prior and per the Order

any exhibits and or evidence had to be taken to his courtroom no later than

_____ before with a cover sheet listing the exhibits. all exhibits must be hand delivered again

_____ before the hearing and I was served _____ before the hearing. Oh and this Order was

signed by Judge _____ on _____. I then had to file a motion to continue because I could now not follow

the Orders given so on _____ I filed a motion to continue as to the rules of service and

only having _____ to prepare and as to an outstanding motion for the change of venue.

My motion was denied that day. I needed to expedite the motion so my mother and I went

to his court room and his assistant came to get the papers, she came back out and stated he was

denying my request again, my mom asked how then are we to have her exhibits and everything

submitted because they were do the day before I was served her statement was "Well when there

is an emergency none of that matters just bring them with you for your hearing". I was sure this was wrong

and so I did what she said, I came to court an hour early and submitted my proposal, pre trial

statement and exhibits. They were all handed back with a note saying "Delivered hour before Hearing"

_____ we had our hearing and the Petitioner was told two things 1. he could not file any

paperwork without providing a copy to me the respondent and 2. he could not file for change in

custody until on or after _____. I found during the hearing that the Petitioner had

filed a preliminary _____ report that had been redacted without my knowledge the Petitioner then

directly after the hearing filed a list of witnesses and exhibits at which I only found on the

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I then felt I needed to file a _____ or _____ on the grounds of _____,
 .Rule 32 E immaterial, impertinent and scandalous. Rule 43 failer to complete service.
 .and again this judge _____ denied my motion on _____ Petitioner files
 again for a _____ decision making and custody, mind you finals orders were
 just written on _____ Judge _____ filed an _____
 the Petitioner did mail a copy of the petition and my mom had received it and given it to me
 I completed a response right away. The Petitioner never followed the Order to comply
 he filed nothing showing he complied yet Judge _____ has set a _____ Conference
 for _____ . The order to comply states clearly that;
 On _____ filed a petition that asks the court to modify the current
 .legal decision making _____ order. Before the court can do that, the person who filed the petition must
 complete all actions required by A.R.F.L.P Rule 91 (D), and A.R.S 25-411. Until that happens, the court
 is unable to take action regarding the petition. So the Order clearly states the Petitioner must follow
 the Order for ANY FURTHER ACTION yet Judge _____ is once again clearly ignoring the
 Arizona Revised statutes and the Arizona Family Law Procedures.....

Maybe he thinks I'm stupid because am a women and I can't afford an attorney I don't know but he is bias towards men.
 he ignores the rules of service, filing and many other area's and should be removed from the bench
 Judge _____ has no respect for the rules of the court. Judge _____ makes his own rules as he goes.
 I'm not sure what can be done or where this goes but I am scared to file for a new judge because I feel he will
 intentionally hurt me or my _____ by giving custody to the petitioner out of spite for reporting his actions.
 I have had _____ sit in as witnesses and they could not believe the way he ran his court room

Thank You, _____ 04. I am also filing a motion to
 Dismiss the upcoming hearing.
 I have also Lost _____ Due to Lack of Notice
 It also blue. Judge _____ Could be related to Refritonous
 Step _____