

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 14-344

---

Judge:

Complainant:

---

**ORDER**

The complainant alleged a judgment entered against her over twenty years ago was fraudulent and that a superior court judge did not notify her the case was closed.

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. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: November 19, 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 19, 2014.

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

IN THE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY

2014-344

Plaintiff, Felon

v.

Case No.

Defendant, An

Resident

ACTIONS BY

COUNTY

COURT NULLIFIES LAWSUIT/CASE

Throughout the years, the actions of the County court judiciary have resulted in fraudulent, illegal proceedings against the defendant, In addition, the judiciary has egregiously violated the defendnat's due process, civil and constitutional rights.

FACT SITUATION:

1. From the very beginning in Case No. the plaintiff, his corrupt attorney, and the County court judiciary have been unable to produce any proof/evidence/documentation to verify the following:
  - A. Purported defamation and worth of damages allegedly committed by the defendant, against the plaintiff, a felon.
  - B. The filing of the original lawsuit did not violate the Arizona year statute of limitations by days.
  - C. The County court had jurisdiction over the defendant, an resident.  
has repeatedly requested such proof/documentation but she

has been blatantly and willfully denied. The reason is obvious; you can not produce items that do not exist:

A denial of access to public records is deemed wrongful if the person requesting the records was, in fact, entitled to them. Cox, 175 Ariz at 14, 852 P.2d at 1198.

To be "genuine", an issue of fact must be supported by evidence. Holtz, 258 F.3d at 69.

The judiciary has violated the law and rights.

2. Over the years, the actions of the County court in Case No. have amounted to Proceedings:

"Any judicial action which so grossly violates standards of "due process" that a party involved in the proceedings is denied a fair hearing."

Another violation of the law and rights.

3. Without any proof/evidence/documentation Case No. was fraudulently and illegally filed. In allowing the lawsuit to be filed, the judiciary committed fraud on the court:

A judge is not a court; he is under the law an officer of the court, and he must not engage in any action to deceive the court. Trans Aero Inc. v. La Fuerga Area Boliviana, 24 F.3d 457 (2nd Cir. 1994).

Fraud upon the court exists "where the judge has not performed his judicial duties". Bulloch v, United States 763 F.2d 1115, 1121 (10th Cir. 1985).

4. The judgment rendered against the defendant, is fraudulent, null and void.

"Fraud upon the court" makes void the orders and judgments of that court. The Court has consistently held that a void order is void at all times, does not have to be reversed or vacated by a judge, can not be made valid by any judge, nor does it gain validity by the passage of time. The order is void ab initio. Vallely v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S.Ct. 116 (1920).

5. Even though the County court has not ever ruled on the myriad of motions submitted over the years by the defendant, it seems to be a moot point since Case No. is based on fraud and illegality, therefore, it never had any legal standing or ever existed.

Fraud destroys the validity of everything into which it enters. Nudd v. Burrows (1875), 91 U.S. 426, 23 Led: 290; particularly when a judge himself is a party to the fraud, Cone v. Harris (Okl. 1924), 230 P. 721, 723. Windsor v. McVeigh (1876), 93 U.S. 276, 23 Led 914,918.

5. (Con't)

Fraud vitiates everything. Boyce v. Grundy, 3 Pet. 210

Fraud vitiates the most solemn contracts, documents and even judgments.  
U.S. v Throckmorton, 98 U.S. 61.

6. Case No. would not have been allowed to continue for years without the aid and abetment of a collusive judiciary. This also renders the judgment against null and void.

Fraud or collusion in connection with the rendition of a judgment is regarded as rendering the judgment void. League V. DeYoung U.S. 11 How 184, 13 L Ed 657.

7. The County court has been consistently removing the motions filed by the defendant, from the court file, deleting them from the docket and returning them to her. Plainly the reason for these actions by the judiciary is a feckless attempt to make sure anyone perusing the docket will not see all of the valid, legal motions put forward by and to taint and blur the truth. All of this is a complete violation of the law and due process, civil and constitutional rights. Simple Black Letter Law.

8. The plaintiff, a felon, is a trespasser: Defined in the 6th Edition, Black's Law Dictionary, as one who has committed unlawful interference with one's person, property, or rights. His fraudulent, illegal actions nullifies the case and its judgment.

9. The County court has never proven that it had any jurisdiction over the defendant Dr. an resident.

The burden of establishing jurisdiction is on the plaintiff and the court. McNutt v. General Motors Acceptance Corp. of Indiana, 298 U.S. 178, 189 (1936).

Alaska V. United States, 32 Fed.Cl. at 695.

Catellus Dev. Corp. v. United States, 31 Fed.Cl. 399, 404, (1994).

Finally, the present custodian of the void, non-existent, fraudulent Case No. states in several Orders-in chambers- that the case is closed. The defendant has never received any communication to that effect. The judiciary can not close an active case at will. This can only be requested by the involved parties. Black Letter Law.

The court can not advise litigants or act for them. Pliker v. Ford, 542 U.S. 225, 231 (2004).

A court lacks the power to act as a party's lawyer. Bias, 508 F.3d at 219.

The defendant, \_\_\_\_\_ finds it ludicrous that Judge \_\_\_\_\_ feels that his orders have any legal standing. Case No. \_\_\_\_\_ is based on pure fraud and illegally. Consequently, the case and judgment never existed, with no legal standing whatsoever. Any attempt to force such actions on \_\_\_\_\_ only amounts to violations of the law and her rights.

CONCLUSION:

1. Since Case No. \_\_\_\_\_ is based on fraud and illegality, generated by the plaintiff, \_\_\_\_\_ a felon, and his corrupt attorney, \_\_\_\_\_ and is illegal and non-existent, The law and justice demand the following:
  - A. The immediate dismissal of Case No. \_\_\_\_\_ with prejudice, substantively and procedurally.
  - B. The fraudulent, illegal \_\_\_\_\_ judgment against the defendant, Dr. \_\_\_\_\_ be declared null and void,
  - C. Any other action by the court would only violate the law, the rights of the defendant and would only cause the \_\_\_\_\_ County court to look incompetent.

Respectfully submitted,

cc: Clerk of the Court, \_\_\_\_\_ County  
Judge  
Chief Judge