

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-002

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner (now retired) made improper rulings in a dissolution of partnership case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: January 26, 2015

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

A copy of this order was mailed to the complainant on January 26, 2015. When a current address becomes available, a copy of this order will be mailed to the retired commissioner

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

2015-002

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.

ordered dissolution of a previously dissolved, accounting, and
terminated partnership. Both Plaintiff and Defendant admitted to prior termination.
or the defendants lawyers removed from the Jury's Instructions
and questionnaire any and all references to the partnerships already having been
dissolved, all accounting, and termination completed.

became in and died of cancer caused by the traumatic theft
of everything the owned in and being thrown into the street by felonies
of and the

Attached

State Bar of Arizona
 4201 North 24th Street #100
 Phoenix, AZ 85015

RE:

Dear _____:

Since the catastrophic events that rocked our family in making a claim against the parties involved because the parties who have lost a civil lawsuit.

I have been unsuccessful in of Arizona denies all claims by

BACKGROUND

I was a developer and manager of apartments. _____ was a _____ located a suitable property for my _____ housing project for _____ Arizona. _____ was willing to share the predevelopment costs, fees, and expenses for a one half interest in my projects.

On _____ engaged the law firm of _____ and _____ to prepare a Joint Venture Agreement for us.

_____ was dissatisfied with the slowness of funding. On _____ engaged the same law firm of _____ to dissolve and terminate the Joint Venture Agreements that Mr. _____ and I formed on _____ Exhibit 1

On _____ through his law firm, _____ sent a second letter requesting an accounting pursuant to the Joint Venture Agreement. (Exhibit 2)

Pursuant to the letter, _____ engaged _____ Appraiser firm of _____ (Def. exhibit list: Exhibit 3 can be found on the Def. List of Exhibits: exhibit 59, 60, 61, 62, the Appraisal, and an appraisal by _____ Mutual)

_____ and _____ engaged the construction company's accounting firm of _____ to prepare the accounting for the termination. The assets of the partnerships at that time were the completed construction of a _____ Apartments; and a vacant site where an additional _____ were to be constructed. Liabilities for all _____ and _____

expenses in the amount of _____ was due from the partners pursuant to the _____
Agreement. According to the _____ Agreements the predevelopment fees were to be
shared one half by each party. The final accounting demonstrated _____ owed _____ one half of
the _____ that I had paid or was indebted for. At termination of the partnerships
still owed me _____ Court room testimony of accountant Mr. _____

Accounting was handed to _____ on the bench

The _____ were dissatisfied with their lawyer, _____ and dissatisfied with
the final accounting.

After the _____ terminated the _____ Agreement, I was successful obtaining a
subsidized mortgage from the _____ U.S. Department of Agriculture. I
began construction for _____

MR. AND MRS. _____

HIRE A NEW LAW FIRM

On _____ two lawyers, Mr. _____ and Mr. _____ from
the firm of _____ had been engaged by my former partner _____ and his
wife _____ to sue for dissolution and termination of the _____ Agreement that
had been dissolved, accounting completed, and termination. The previous dissolution, accounting
and termination were being ignored. It was later learned that Mr. _____ a realtor, had a buyer
for the _____ apartment units that _____ had not disclosed to
(me). (Exhibit 4)

In their pleading, a previous dissolution was admitted. (Ibid., page 9, Item VII, lines 12,
13, 14)

The apartment complex when _____ dissolved and terminated the partnership consisted
of _____ and predevelopment debt. When _____ sued to dissolve the second time, the assets
included _____ had been added by me when the mortgage was approved.

MOTIVE FOR THE _____ LAWSUIT: Sometime after _____ dissolved and terminated our
partnerships, _____ A _____ secretly found a buyer for the _____ buildings
when they were completed for _____ did not advise me that he had a buyer. I had
subsidized mortgage contracts and subsidized rents for _____ tenants with the
_____ *U.S. Department of Agriculture* prohibited a sale of the property at that
time.

CONCLUSION

TESTIMONY: Both _____ and _____ admitted to the formation of a partnership between
them in _____

MATERIAL RELEVANT EVIDENCE: All material evidence relevant to the dissolution, accounting and termination agreements which were proffered to the court was subsequently redacted and were not available for consideration for the jury's findings.

JURY INSTRUCTIONS: For unknown reasons, which one can only speculate, all questions concerning the prior dissolution and termination were scrubbed from the juries list of questions for a finding of the existence of uninterrupted Agreements.

JURY'S FINDING: The jury agreed a partnership between and was extant. There were no questions for the jury to decide whether those partnerships had been dissolved and terminated. It is believed the instructions to the jury were drafted by and This Court case was first case as a Court trial judge. (Exhibit 5)

FELONY-MURDER: The *theft of the* plus extinguishing of the debt to for one half of the plus two year management contracts between me and the

Jury Tampering through the preparation of bogus jury instructions, leaving the jury without the facts to rule upon: the prior dissolution, accounting, and termination of the Agreements. The trial judge, refused to rule on the law of the case after learning and seeing the facts of the previous dissolution, accounting, and termination. Actually, the case should have been dismissed for failure to state a claim upon which relief could be granted prior to a trial.

But for the gross negligence of and the crimes by the lawyers from the law firm of would not have died prematurely from the trauma of being a crime victim.

The intentional negligence and crimes by the lawyers and the law firm involved has caused irreparable damage to the entire that is lasting a lifetime, when all the authority the law firm and the lawyers had was to resolve a dispute.

After this lawsuit, Mrs. has never recovered from the cancer caused by the trauma of the lawsuit. Mr. went into severe depression and was unable to work. He subsequently suffered a number of and finally had Mrs. continued to until her death in the year

I have on a number of occasions since sought relief through various County Attorneys, the State Bar of Arizona, and through private attorney firms. At it is my intention to file a petition with the Arizona Court for a writ of mandamus for the County Attorney to begin proceeding for naming all the actors herein.

Sincerely and Best Wishes for the Holidays.