

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-036

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner improperly issued a protective order and was biased against him.

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: February 18, 2015

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on February 18, 2015.

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

2015-036

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.

I _____ have been involved in a case _____ regarding my _____

_____ I have been self represented in this matter up against this _____

small town heavy hitter attorney. I cannot afford counsel, it has been difficult to say _____

the least. After _____ months of litigation my ex-girlfriend sought and received a _____

protective order. She made numerous claims of stalking and harassment. These _____

were unsubstiated claims simply conveyed as "bullet points" on paper. The Judge _____

_____ felt it would be appropriate to issue this order without any actual _____

testimony. The Plaintiff in actuality never contacted law enforcement regarding any _____

of this alleged behavior. The judge rubber stamped it, no evidence, no testimony. _____

I have included a copy of the record of the ex-parte hearing. This judge in my _____

opinion broke the Second Cannon of judicial conduct. You will clearly see he creates _____

the appearance of preferential treatment and brings the judiciary into disrepute. _____

He solicits from the bench asking the Plaintiff if there are any female doctors that _____

practice at the Plaintiff's doctors office. If you view carefully you will also see he is _____

actually allowing opposing counsel to run the courtroom. he also and most paramount _____

did not take into account the fact that there is a standing order regarding our _____

and he issued a protective order for my _____ based on the subjective statements _____

and opinions of the application of cologne a clear violation of his authority under the _____

Arizona Rules for Protective Orders (issuance of). He has also never ruled on my behalf _____

He rubber stamps every request of opposing counsel and never rules in my favor _____

I understand I am not an attorney, but I would ask the Board to consider this judge _____

was a practicing family law attorney here in _____ and is very familiar with opposing _____

counsel and she always seeks protective orders to gain the upper hand in her cases. _____

The main issue is I have not seen my _____ since _____ and he had no reasonable _____

Addendum Statement

When I made the statement that there was a standing order it was in regards to a parenting time and legal decision making order adjudicated by the same judge on [redacted] There were never any incidents of domestic violence or child abuse, no allegations and no documentation. The Plaintiff never sought medical attention for the child based on any incidents regarding his father (myself) and in the least the application of cologne this is a known rite of passage such as shaving cream, cologne and I was even teaching him how to brush his teeth, teaching a child hygiene does not constitute child abuse.

I know it has no bearing but there is a lot of emotion in a case like this and this judge violated his authority and created the appearance of impropriety there is no way a third party could view the record and not in the very least see the appearance of favoritism. It was also an ex-parte hearing that in my opinion is actually a Fourteenth Amendment violation and there should be changes and again in the very least more care and maybe some actual testimony to gauge the honesty of the statements.

I ask the Board to review this in good faith and this is not a personal vendetta, but I have received no justice in a simple parenting time matter. I am almost [redacted] old have custody of [redacted] that reside with me [redacted] and have a career and have never harmed [redacted] nor stalked and harassed my [redacted] A simple viewing of all of the materials I have submitted will clearly support my position.

Thank you,

Respectfully,

Addendum Statement

There are two more noteworthy issues, I am in good standing with my agency, have never received any adverse disciplinary action in an _____ career and on another note when my _____ was in court not testifying, but being coached as to how dangerous I am, nobody asked where the _____ was at. If you can guess, yes he was with _____ safe and secure. This is a joke and this attorney always pleads her cases this way I have contacted the Bar _____ times regarding her conduct and outright lies.

Thank you,

Respectfully,