

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-142

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge made improper rulings in a family law case.

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: July 9, 2015

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 July 9, 2015.

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

Commission Members:

I am making a charge of multiple ethics violations against Judge

**I charge this judge with:**

- 1) Refusing to follow multiple rules of the court
- 2) Refusing to abide by multiple specific behaviors under his cannon of ethics.
- 3) Repeated lying
- 4) Refusing ongoing due process
- 5) Acting with malice
- 6) Abuse of office
- 7) Sadistic behaviors
- 8) Engaging in ego-aggrandizing behavior at the expense of Affiant.
- 9) Using his office to generate money for Court and

**I am attaching an ETIOLOGY OF EVENTS, with, multiple evidentiary exhibits. An etiology of events is necessary for context, and by such context, the validity of my charges becomes apparent.**

#### PREFACE

**1) BASIS OF APPLIED TERMINOLOGY AND APPLICATION:**

Let me state initially, as a frame of reference, that any....any...seeming knowledge of law I possess, is gleaned and repeated where it shows up in any of the following narratives or documents via a \_\_\_\_\_ form of acquisition and application. I apologize in advance where I use incorrect terminology or applications.

**2) INITIAL APOLOGY AND FRAME OF REFERENCE NESSESSITATION AND SUCH:**

I must also apologize in advance for any phraseology which may seem insulting in any way. It will not be meant to do such, but is merely a reflection of my age, where the consensually populous meanings of words were used, confounded by my education and vocational experiences in \_\_\_\_\_ as a practitioner and instructor, where the interpretation of wording in context was considered in writing or speech, as a demonstration of ideation and intent, a verbalization form of behavior. E.g., You say \_\_\_\_\_ as in: \_\_\_\_\_ while in my discipline, we would say,... certainly by the \_\_\_\_\_ occurrence... \_\_\_\_\_ as in :

Likewise, and perhaps more importantly, my discipline utilizes diagnostic category's relevant to the reading and interpreting of behaviors. E.g., let's take \_\_\_\_\_ recent political festivities...the festival participants now labeled \_\_\_\_\_ by the mayor's office, and now the white house, where in my discipline, we look at purpose and design of a behavior,

whether by thrown bricks and bottles, flamethrower or Molotov, or gunfire, until you bow down and acquiesce to their demand, we would call that

**3) VIOLATIONS:**

I have attached \_\_\_\_\_ pages as the last of the attachment-exhibits (**ATTACHMENT # 9**) taken from the commissions website, which I have marked/highlighted for code#, or CITE#, I will have given then an identification marking with a number that I will insert in the narrative.... got the correct code violation to correspond to the section of my narrative, \_\_\_\_\_ and are numbered from

**Brief etiology of events**

Depleted financially from \_\_\_\_\_ of courtroom-combat games, collections-Sheriff fiasco's, in a judgment-decree which all involved knew was uncollectable, Petitioner was forced to sell his home. I worked a lifetime to acquire ..doesn't everyone...and move to less substantial quarters.

During the packing and clean-up of the original property sold in \_\_\_\_\_, Petitioner discovered a \_\_\_\_\_ under the staircase accessible through a small entry door in the back of a hall closet. In it, were a small number of pictures and other art-ish objects from amidst the chaos and debris of Respondents packing and leaving of Petitioners home at the end of \_\_\_\_\_. Some items having some value, and some no value.

At last! Petitioner might be able to recoup some portion of his financial losses by dissolution, and by sale of these items, serve as a small, yet partial payment of the almost \_\_\_\_\_ due Petitioner by Court ordered judgment. (*one of the EXHIBITS IN ATTACHMENT "#1" with separate tab*)

So, Petitioner, being financially depleted, living only on disability benefits, having no \$\$ for a lawyer, creates a \_\_\_\_\_ AS PARTIAL PAYMENT OF A COURT ORDERED JUDGMENT. (**ATTACHED# 1**)

\_\_\_\_\_ and remembering to observe all correct court process, a MOTION TO SERVE BY ALTERNATIVE SERVICE (**ALSO IN ATTACHEMENT #1**) This second motion, for alternative service was added because Respondent having absconded with the community assets, was residing in an unknown location, in an unknown country. In fact the \_\_\_\_\_ Family Court mentions that Petitioner had hired private detectives to scour the U.S.A. for her whereabouts, and found not a trace....

However, Petitioner did serve the \_\_\_\_\_ MOTION TO AWARD....to Respondent at her address as registered with the Court, anyway, as a matter of proper procedure, which was returned stamped: \_\_\_\_\_ This returned mail was attached an as exhibit in Petitioners

submission titled (ATTACHED #3,  
submission, the NEW AND IMPROVED MOTION FOR AWARD...ATTACHED # 5,

So, filled with good cheer, and proud of authorship, then Affiant made multiple copies, dropped off same with the Clerk of The Court, located and stopped into an office in the building where I asked for directions to the new Judges office. Before she would give me directions, she wanted to know:

I responded that I had already paid, and paid. I got directions and hand delivered a copy to the office of the Honorable I did this believing that such a simple matter, might be dealt with like the used in the Family Court i.e., the Judge could take a quick read, view the attached judgment (LOCATED IN "#1-A"), and other attached documents supporting such a judgment( Attached together in "#1") or have me make a verbal presentation in open court, sign the attached orders, and at last...after years, an end. An end to everything connected with an uncomfortable event, and a most horrible legal experience.

While I would never be made "whole" again, the college fund and living arrangements for would be increased.. adequately maybe, through graduate school even. Affiant, now approaching age would be by then, of course, long dead.

So I waited outside the Judges office on the bench. I waited a long time. Hours. Eventually, someone... clerk or assistant, to whom I had earlier handed the motions, came out and said the judge had read my submission. ....and the Judge unsealed and read the file  
[ATTACHED #9  
certainly a breach of your ethics ethos, but hey! He's a judge!, do what he wants, eh?

I had attached to my motion a copy of the Family Courts' judgment, copy of an from the Court to open a secret storage unit Respondent thought I'd never discover,( All Attached is within #1 ) and an un-attached document I gave the Judges clerk for the judge to read if he felt more documentation was necessary then was attached to the motion..the document, originally submitted in the moving papers of the dissolution, confirmed what was found in Respondents secret storage area. The diamonds , some of the different banking records under a variety of aliases, stacks of other whatever else...

I told the clerk I needed that document back after the Judge read it, but that never happened...Later phone calls and E-mail to the judges office to retrieve that document allowed the clerk to inform me that: a behavior bespeaking a kind of he knew it was an original document...(ATTACHED

**Harm, incur loss. A show of personal power...**Now, to attach to a copy of that document, to this submission, I have to go downtown to the courthouse, beg to unseal the file, my file, if I am allowed to copy it at all. If I still had it, it would be **Attached "#2"**. from sometime in, maybe,

However, in it's place I am enclosing some emails between Clerk and myself over the destroyed document. I should have made audio tapes of every encounter, face to face or telephonic, but alas.....who'd a thought such would be necessary, huh?

When I had called the judges clerk, several times to get it back, and was told that Judge as throws out any submissions..... ....in his head.

( **ATTACHED #9** She said I could run down to records storage to get it copied. Of course, that meant yet more expense, and I have difficulty walking...especially down those stairs...the elevator was out of order.. and the joke is, when I got to the bottom of the stairs and went to the counter, they refused to let me see or copy any document from my file without the judges order. But It's in the Courts record. (**ATTACHED #9** **Refused to tell me that I would first need a judges order.** Like to run me around the neighborhood. Probably lotta In terms, that would be one more diagnostic artifact...leaning toward .it represents one of a symptom cluster...like a grouping of as they knew I couldn't walk well...

So, as I was leaving the court empty handed...the clerk or secretary, whatever the designation, ran after me, told me that the Judge wanted I submit a instead of a motion. I told her that while I had learned to draft a motion, I did not know how to draft a petition that would be appropriate to please this Court. I wanted some official edification..... I needed it in writing...a minute entry or such. What a legitimate Judge would do,... were it a legitimate demand.

I waited for more than for some formal notification from the Judge...about this petition business. I was aware, and told by the Clerk of the Court staff, that a petition was for something entirely new and not connected with my case, and that a motion for what I wanted, was appropriate. I looked on-line. The courts website made it clear... The first document in my dissolution was the Petition, and everything to follow was defined as

No order or minute entry-whatever ever arrived. The judge refused to make a written order, a note, whatever, indicating a was necessary . More diagnostic artifacts. Therefore, I have no paper trail (**ATTACHED #9** to support my report of the Judge and this business, except possibly, his Clerk, Ms. However, with human realities being what they are, that if she desires continued employment with this...or any other judge...no confirmation about the petition issue will be forthcoming from her. But do go ahead and ask. Or get her to a hearing, and I'll do the asking. But, you would need to do that before confronting Judge ..on the as we'd say, lest some witness occur. be occurring, huh?

Maybe that's why the Judge refused to issue a minute entry or order regarding his desire that I submit a petition instead of a motion. If I was a on this issue, like I did in

I'd have to say that demanding a petition, to elicit money to benefit the courts income basis, **(ATTACHED #9)** when a motion is appropriate, would be considered a significant behavioral artifact representative of a type of pathology. Definitely if the demand was sent thru a party purposely without paper confirmation. Certainly, it would be considered....by as an abuse of office. Like a big cat playing with prey. Add it to the grandiose thing....

So, Figuring my first motion was ignored...because of the petition business, I then create a MOTION FOR RECONSIDERATION, (My second submission, **Attached "#3"**) and attached to it is again the MOTION TO ALTERNATIVE SERVICE, (I will refrain from attaching more copies of identical documents.) and...because I thought it best to try and please this judge, to settle such a simple, clear cut issue,**(ATTACHED #9)** I attached my version of what I thought a ..would look like. But I never submitted it. Because.....

On as I was having my paperwork for the "Motion for Reconsideration..." stamped into the Clerk of the Courts records, by the counter Clerk, he told me... It's not related to your case..You have to pay us more money because means it's a new case."

The Clerk of the Court wanted ...for the petition. I.e., Judge wanted me to pay up an additional plus the parking fees to get down to court, fuel and operating costs, photocopying costs....make my daily totals for a trip to court about each time, plus now the additional **ATTACHED #9**

My disability check had not yet arrived and I didn't have the in cash with me to file, so I crossed out that reference from the courts pro-forma cover sheet,( **attachment # 4**) tore the section of the submission titled off the back of the document, and hand wrote a note on the judges copy of the Motion stating that:

walked down across the street to the judges office in the and handed the very same clerk there, my MOTION TO RECONSIDER...etc. **without the" Petition" component attached to it. (ATTACHED #9)**

If I had erred in submitting a motion, then judges demand for a petition would be an issue. Because the courts are supposed to diminish peril for the citizen, **(ATTACHED #9)** if the judge had given an instruction or guidance about the structure of the petition, ....I know it is not their job, its merely.... a humanity **(ATTACHED #9)** or, if the wording within the motion was O.K., but the title needed changing.., I could have merely scratched off the word motion and hand written the word, Petition in its place...or, If it was about the I could have been simply, honestly told:

I appreciate integrity like that...no B.S.... ...Instead of wasting more than a month of my life. months. **(ATTACHED #9)**

**THE COMMISSION'S POLICY IS  
TO POST ONLY THE FIRST FIVE  
PAGES OF ANY DISMISSED  
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE  
REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**