

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-254

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace ignored evidence, was not prepared for court, and made improper rulings in a protective order proceeding.

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 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 judge on November 18, 2015.

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

Name:

Address:

City:

State:

Zip Code:

Phone:

Judge's Name:

Judge's Court:

Did You Have a Case before This Judge? No

If Yes, Is The Case Still Pending? N/A

Case Name and Number: N/A

Name of Your Attorney, If Any: N/A

Names of Witnesses Who Observed the Judge's Conduct: 2 County Attorney
and one other who was a witness in the court room.

AZ CJC COMPLAINT FORM 1

I understand the commission cannot reverse court orders or assign a new judge to a case. I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature

Date:

INSTRUCTIONS Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

AZ CJC COMPLAINT FORM 1:

On _____ I had appealed an injunction of harassment hearing in which Mr. _____ had filed against me in the _____ Courts. I myself have an injunction against Mr. _____ (see _____ Prior to this case he had been arrested for violating my injunction numerous times (see Booking Number: _____ and given a _____ dollar Cash or secured bond, and he was indicted on a _____ the day before the court hearing _____ for aggravated harassment in my case _____ based on the evidence gather by Detective _____ of the

Our court hearing was due to start at _____ It started around _____ as the judges are returning

AZ CJC COMPLAINT FORM 2:

from lunch. Judge _____ seemed to be in a very irritable mood as she was snapping at both myself and _____ had to be told numerous times that his info was not applicable to the case and was asked numerous times how I myself was harassing him. I was asked why I was not wanting the order to remain in effect against me. I told the judge that it is impossible for me to contact this man as he is blocked on all of my social media pages and that it is in fact Mr. _____ who is harassing and stalking me. Mr. _____ recently sought me out on _____ and followed me there on _____ I held up the screen shots which she was informed that the police already had copies of and is being used in the criminal case against Mr. _____ yet the judge did not want to look at them. In fact she told me that it only proved my injunction against him.

According to Arizona Law:

“An injunction against harassment prohibits a person from harassing, annoying or alarming another person. An injunction can be filed against neighbors, friends or strangers, as long as you have their name. One act of harassment will not be enough to get an order. There must be a series or pattern of acts before a judge will consider granting the order. Also, you must tell the person that you are going to apply for an order, or give the judge a good reason why you have not told the person. The person filing the injunction is called the plaintiff. The person against whom the injunction is filed is called the defendant.”

<https://www.tucsonaz.gov/courts/how-file-injunctions-against-harassment>

G. The court shall not grant a mutual injunction against harassment. If opposing parties separately file verified petitions for an injunction against harassment, the courts after consultation between the judicial officers involved may consolidate the petitions of the opposing parties for hearing. This does not prohibit a court from issuing cross injunctions against harassment.

<http://www.azleg.state.az.us/ars/12/01809.htm>

In fact in order to obtain an injunction the person requesting the order must provide:

- Bring picture ID (if available).
- Your address information (house, work, schools, & other locations you wish to have protected).
- Defendant name, address, date of birth, social security number (if known), description & other useful information if known.
- Dates the incidents occurred and case numbers if applicable.
- If adding minor children, please provide their date of birth & social security numbers if known.
- Expect to be at the Court house for at least 2 hours.
- No Children allowed in court room.

<http://www.superiorcourt.maricopa.gov/superiorcourt/protectiveordercenter/iah.asp>

AZ CJC COMPLAINT FORM 3:

Even in the legal paperwork Mr. _____ lied to gain his petition and also in the appeal stating that he did not know my address. Mr. _____ posted on his _____ publically on _____, a police report document which was illegally given to him by the _____ Department _____ Section that included _____, _____, and the _____, and _____ of my _____. I filed a report on _____ (see Case Number: _____ with Officer _____ number _____ and also a complaint with the Police Department's _____ on _____. They have found the person/woman who gave out the information as my information should have been redacted as the victim in the case, and they are handling this as their rules apply on that end

Mr. _____ was also supposed to furnish proof on me harassing and contacting him personally which he did not. The proof that he gave the judge was a posting from his own page which he himself wrote and _____ had removed. _____ has been removing all of his posting about me because they have received a copy of my injunction of harassment and the _____ Department of the Police Department contacted them about this matter as well, in order to get the police records he had posted with my personal information down from his wall.

Mr. _____ also gave a posting from another one of his victims pages claiming I had wrote it. The screen shot came from _____ page dated _____ in which she _____ me in the _____ has _____ charges pending against him (see Case Number: _____, Det. _____ and also has an injunction of harassment against Mr. _____ (See _____ The posting did not say his name nor did it give anything to indicate it was about Mr. _____ in it.

Another thing that was held against me was a news report made by _____. He claimed that it was inciting others and that it was harassing him. The reporter _____ did a story with me on response to _____ the _____ System being hard to get through to prove harassment and stalking, and the laws needing to be changed when it comes to social media on the topic

Mr. _____ name and picture was not given in this _____ yet he called Ms. _____ and ranted and raved using very foul language minutes after the _____ Ms. _____ then proceeded to call me at _____ on _____ and warned me not to go home that night because of the things Mr. _____ had stated to them on the phone.

The only information in which Mr. _____ had that I did actually post was in reference to me asking people/friends we have in common to leave my pages. I was advised to remove anyone who may be his friend from my page because they were only causing more problems for this case and I have

AZ CJC COMPLAINT FORM 4:

people on my page due to my involvement in _____ and
Since Mr. _____ is BLOCKED on EVERY social media site there is no way for me to know who
is a friend on his page, so his name and link was shared in asking people to remove themselves from my
pages. This was not harassment as he was not tagged nor should he or his witnesses and family, and
close friends be able to see my pages as they are all blocked and banned. This information was shared
with the Detective who had him arrested, with Judge _____ who presided over my initial injunction,
Judge _____ who presided over Mr. _____ appeal of my injunction which was upheld (after which Mr.
_____ publically posted a threat against myself and Judge _____ twice on his page), and again with
Judge _____ when my injunction was amended to cover _____ Harassment. This information is
also being used as information against Mr. _____ for his felony case under which he has been indicted
for.

During the case Mr. _____ was allowed to show what he thought was evidence against me. He even
was allowed to have _____ come forward and testify for him which they lied and had no proof to
show their prove their position. One of the witnesses was _____ who had come to my
Political Public _____ (because she is blocked on my other pages due to her harassment of myself
and _____ and threatened me due to my case against Mr. _____ I do not know this woman
nor the other witness _____ I have never been friends with them online or in my personal life. I
stated that to Judge _____ during the hearing. I also brought up the fact that Det. _____ had to call Ms.
_____ and let her know a report had been made against her and that if she were to contact me again
she too would be arrested, but it didn't seem to matter to Judge _____

Mr. _____ has been known in my case against him to ask people to lie for him in court. Detective
_____ was given the screen shots of the people's messages stating that Mr. _____ had threatened
them because they refuse to lie for him in court. I have been forced off of my own Facebook Pages
which I use for work and have opened a new page which is very limited. I asked Judge _____ to look at
my pages to see that I have no contact with this man, nor am I harassing him and she flat out refused
stating she would not look at my evidence.

Judge _____ completely overlooked the fact that both Mr. _____ and his _____ admitted on
record to violating my restraining order on record by stating that Mr. _____ is still stalking my pages
and having his friends watch my pages for him. He should have been arrested on the violation
immediately, but was not due to Judge _____ not caring about the evidence or what she was hearing in
this case over all. Even the _____ County Attorney's Office _____ were baffled at this way
this case was handled and how this judge could uphold this order.

In the end, proper procedure was not followed as not of the conditions for getting the order were met.
There was not a series or pattern of harassment which is needed to prove this case as the evidence used
was from the Petitioners own page, and another victims page.

AZ CJC COMPLAINT FORM 5:

The judge failed to look at any evidence I had to dispute the matter, which is also my right as a person to show to defend myself against false accusations. Had she done this, she would have seen that no harassment was made against Mr. [redacted] from myself personally in person or online from any of my pages as I had a copy of all of my [redacted] on disc there for her to review which shows all activity on a [redacted] including postings and messages that have been deleted if there were any.

Judge [redacted] would have also been given the evidence to show that Mr. [redacted] was in fact doing the very things he was accusing me of doing with the numerous screen shots of his violations (which I had on disc for her review) and police reports in my injunction which is being used in his Criminal Case of which he has been indicted. In fact she also would have seen Mr. [redacted] and his [redacted] posting on his page how they were going to come after my work in all of my professions, especially my political career; and the numerous threats that they and many of his friends have made to me and his other victim.

All statements on record are supposed to be based on factual information and not lies according to AZ Law. The Petitioner did indeed lie in order to get the petition and in the appeal with Judge [redacted] when he stated that he had been harassed and he did not know my address which is proven in the Criminal Case against him which he is looking at serving time for a [redacted] on [redacted]

The AZ statute section G was also violated in this case since it does state that "The court shall not grant a mutual injunction against harassment. If opposing parties separately file verified petitions for an injunction against harassment, the courts after consultation between the judicial officers involved may consolidate the petitions of the opposing parties for hearing". The Judge did not care that this was a vindictive case made against me by Mr. [redacted] and that there was an injunction against him from [redacted] and [redacted] in the same court. Even the [redacted] County Attorney's Office was baffled as to why this case was not consolidated and taken before Judge [redacted] who was whom the original order was established with.

In upholding this order was should not have legally been upheld based on lack of evidence the Judge has allowed the person to now legally harass me more and threaten to have me [redacted] as he has stated numerous times in his postings on social media. She has allowed for him to take the only work I have by granting the order as well since I can no longer work in politics or do public speaking on [redacted] and other topics, due to having an injunction against me. She has also made it impossible for me to leave my home because this man follows me everywhere which is why he is facing numerous charges of violating my order against him. He is now able to follow me anywhere I go and have me locked up for violation his order against me claiming he did not know I was there.

**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.**