

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-006

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge failed to report attorney misconduct.

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: February 10, 2016

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 February 10, 2016.

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

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 RULES OF PROFESSIONAL CONDUCT RULE 81, VOILATION OF RULE 2.15.
Responding to Judicial and Lawyer Misconduct**

_____ has pended for 5 years before the Federal Courts, State Superior Courts, AZ Court of Appeals, and AZ Supreme Court.

The labor wage and hour and wrongful termination case orginated from an internal complaint made to _____ that it's compensation plan was illicitly withholding commission amounts from employees. The case was filed as a class action case with the wrongful termination included for _____. The Federal Court held the case for a year and did not allow conditional certification. _____ dismissed Federal Claims, severed the case, and remanded the wrongful termination claim back to Superior Court. _____ filed Summary Judgement, claiming a legitimate reason for termination. _____ Appeal. It was discovered that _____ had submitted fraudulent evidence in order to claim it had a "legitimate reason" for termination. The termination papers submitted by _____ claimed _____ had stolen company policies documents and stated a date which was before _____ was before _____ was employed by _____ or even had access to the facilities.

Upon the case returning to Superior Court _____ filed a Motion to Vacate the Judgement, based on the submission of fraudulent evidence, and cited the violations Arizona Legal Ethics rules in submitting fraudulent evidence to a tribunal. The Court ignored the submission of fraudulent evidence and the violations and denied the motion.

A Motion to Reconsider was filed again pointing out that allowing _____ to enter fraudulent evidence would affect Substantial Justice and the Judgement should be vacated.

The Court once again denied the motion and allowed the submission of fraudulent evidence by [redacted] rather than taking disciplinary action against the offending attorney and vactating the Judgement, breaching rules for impartiality and bias Rules 2.2 & 2.3.

[redacted] filed a criminal complaint to the State and Federal authorities. [redacted] now files a complaint to this Agency requesting review of the matter, citing:

RULE 2.15. Responding to Judicial and Lawyer Misconduct

(A) A judge having knowledge that another judge has committed a violation of this code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this code shall take appropriate action.

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

(E) Acts of a judge in the discharge of disciplinary responsibilities required or permitted by Rule 2.15 are part of a judge's judicial duties and shall be absolutely privileged, and no civil action predicated thereon may be instituted against the judge.

The AZ State Courts have no business in concealing the underlying criminal activity in [redacted]; wage theft of tens of millions of dollars, by allowing the submission of fraudulent evidence. Nor should an attorney be allowed to escape disciplinary action because a Jurist just wishes to clear his docket and not reverse his prior ruling even though fraudulent evidence was placed on the scale. Further, Courts should not engage in bias of Pro Se litigants or become impartial and allow unfair tactics as "made up" evidence to be placed on the scale, before the Court. [redacted] requests proper disciplinary action againt [redacted]; up to and including removal of the Jurist from his bench.

In [redacted] filed an anonymous complaint to the CJP after noticing the [redacted] looked dazed on the bench, stating he may have been drinking. California investigated and the Judge was found to be on Alzhiemers medicines and had trouble remembering facts. [redacted] resigned. In [redacted] filed an FBI complaint against [redacted] and his Court room was immediately subject to a budget cut and went dark after filing complaints to then [redacted] for upholding a debt peonage labor contract. [redacted] Court then converted to a settlement Court only.