

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-185

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Judge:

Complainant:

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**ORDER**

The complainant alleged that a superior court judge had failed to act on his request that the judge initiate the prosecution of his daughter for perjury.

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.

After review, 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(a).

Commission member Anna Mary Glaab did not participate in the consideration of this matter.

Dated: August 24, 2016

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 August 24, 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.

Please review the enclosed letter dated \_\_\_\_\_ that I sent to \_\_\_\_\_ I sent him this letter because he is the \_\_\_\_\_ and as such he is responsible for reporting all criminal violations that occur in \_\_\_\_\_ courtrooms for prosecution. In that letter I advised \_\_\_\_\_ that a crime had occurred in one of his courtrooms during a court proceeding. I also informed him that the culprit had committed the crime during a previous hearing (see highlighted areas of enclosed court documents dated \_\_\_\_\_ and \_\_\_\_\_). During a subsequent hearing on \_\_\_\_\_ while under oath and on record, the culprit confessed to committing the crime (see enclosed \_\_\_\_\_ highlighted area on \_\_\_\_\_ and refer to the court recordings/minutes for \_\_\_\_\_).

The crime that was committed was perjury (see Arizona Statutes Title 13 Criminal Code 13-2702). And the person who committed the crime was \_\_\_\_\_ who like everyone else... is not above the law and should be held accountable if she commits a crime.

\_\_\_\_\_ seems confused about how to handle this crime. Clearly, the statute is part of the CRIMINAL CODE and it is irrelevant whether the crime was committed during a Family Law hearing, a Civil Law hearing, or a Criminal Law hearing. As such, it is not proper to adjudicate it through Family Law proceedings as he suggested in the \_\_\_\_\_ he sent to me (see enclosed \_\_\_\_\_ highlighted area). Instead, the correct adjudication would be through a criminal proceeding, which can only be initiated by filing a criminal complaint first.

Obviously, the crime was committed against the Court, not an individual, so the Court must initiate the criminal complaint. And since testifying under the oath and the enforcement of perjury laws, when evidence that testimony is a clear, indisputable, self-admitted lie, is essential to the success of the judicial process, then it is imperative that the Court initiates a criminal complaint whenever there is clear, indisputable, self-admitted perjury evident. Failing to do so would remove all incentive for people to tell the truth while under oath, would make swearing the oath just a ceremonial formality, and would severely undermine the judicial process. And holding some people to the higher standard of telling the truth while allowing others to openly commit perjury, if it benefits them, constitutes clear and undeniable discrimination.

Since \_\_\_\_\_ is not willing to do his job correctly, I am asking whoever is responsible for ensuring that he performs his job competently to file a criminal complaint, against \_\_\_\_\_ for committing perjury, with the \_\_\_\_\_