

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-288

Judge:

Complainant:

ORDER

The complainant alleged a municipal court magistrate improperly discontinued an order of protection following a hearing in which the defendant contested the original ex parte order.

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(a).

Dated: December 7, 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 December 7, 2016.

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

Comp

Arizona Commission on
Judicial Conduct

2016-288

To Whom It May Concern:

On [redacted] I went to the [redacted] to request an Order of Protection be renewed. I gave all the particulars to the magistrate. [redacted] went over all the information, asked a variety of questions that I answered. The [redacted] asked for more information such as how long my ex-husband and I had been apart, I stated well over [redacted] that I had been informed [redacted] had divorced! I didn't want anything to do with the EX.

He then stated that he saw that I had more than enough to renew the Order of Protection, then proceeded to fill out the new papers, explained the procedure of having the papers served and the rest of the rules that applied to myself as well.

I received a certified notice of a hearing by the ex. When the hearing started, the ex was whining about keeping his guns, so basically played "good ole' boys" and stated that I hadn't given the court enough information previously to justify the Order of Protection, so the [redacted] dropped it!

Since then, the bolts on the control arm of my truck were loosened to the point that a nut flew off, the mechanic couldn't find the bolt, the other bolt was hanging on by just a couple of threads, the steering wheel fell in toward the center of the cab! A dozen or so Gila Monsters have been put in my garage! A Cottontail Rabbit was decapitated, and laid on its side in the grass in my front yard! I reported all of these incidents to the Sheriff's Department as they happened. I can't count all the phone calls from numbers that came across the ID Box as anonymous, rocks hitting the house, someone outside my bedroom window!

So finally, I spoke to [redacted] here in [redacted] one morning before Mass. I told him all of this, he stated he would put up surveillance cameras positioned in the direction of my room!

This past Sunday, the Sheriff was campaigning and stopped by my residence. He asked if anything else has been happening. I told him things had been quiet but was wondering when it would all break loose again. He stated my ex, somehow had found out about the cameras and was in words "[redacted]". The sheriff apologized to me, but I stated that my "ex" being upset about cameras being positioned here tells me he is guilty of all the things being done and doesn't want to get caught! I am very uneasy of what he my might try to do to me or my property!

I would hope that the Commission on Judicial Conduct would be able to see that the [redacted] should be required to reinstate or issue a new Order of Protection for me, as my "ex" maintains ([redacted]) quite a number of guns and rifles.

Sincerely,