

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-305

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner was biased against him and made improper rulings in a family law case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the commissioner 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 14, 2016

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on December 14, 2016.

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

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2016-305

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

Currently, I am filing for divorce from my US Citizen wife, she did commit domestic violence where my young baby and myself are victims. The case of domestic violence is still pending at _____ court under docket number _____. Being a new immigrant I was under pressure and suffering abusive relationship which ended on _____. I couldn't find a job before receiving the green card but because I was keeping my baby at home I was not able to find a job also I received the green card on _____ and she committed the domestic violence on _____ after she called the cops on herself and demonstrated her mental instability, she was taken to jail for a period of _____ jail. After getting out of jail I was afraid of her reactions because her mental instability could steer another and may worst violence against me and my son. I did ask the judge who rules the domestic violence case to issue a no contact order against her not to contact my son or myself. While being a new immigrant is challenging in itself I was partially dependent on her to provide for my son and myself. In spite of the fact that she did sign an affidavit of support to petition my immigration case, she ceased to provide any financial support since _____. She did close the common bank account at _____ and left me and my baby without any resources for whatever. As a new immigrant I have no access to any government aid programs; at least this is what I was told.

On _____ did issue a removal order for my _____ son without receiving neither reviewing any evidence for any of the allegations that my wife did file against me. _____ failed to perform her due diligence and ignored the domestic violence and the actual situation that I did care for my son since _____ without any issue. On _____ afternoon and before the execution of the removal order the _____ did visit my mom's apartment where I was living with my son and they did not find any allegations against me and concerning my son that were true. _____ did execute the removal order based on an oral witness who is my wife and totally ignored my situation.

According to certain Attorneys in the _____ area, it is not seen in at least _____ years such thing that a judge would issue a removal order by ignoring completely the domestic violence victims and without receiving any evidence neither schedule a hearing beforehand, which is a clear discrimination message because of my foreign origins. Being immigrant and having a distinctive last name I can confirm that I am not having any chance to obtain justice for my son and myself regardless of the evidence or being equally treated in the judicial process.

I hope this letter would find an answer for myself and other victims of such discriminatory judicial actions.