

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-356

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Judge:

Complainant:

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**ORDER**

The complainant alleged a pro tem superior court judge was biased against him, purposefully delayed his cases, deprived him of fees owed, gave legal advice to opposing counsel, exerted improper influence into an external investigation, and retaliated against him.

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: May 9, 2017

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were distributed to all appropriate persons on May 9, 2017.

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

2016-356

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.

See attached. The documents illustrate and are evidence of bias/prejudice/ attempts to injure, purposeful delay in moving cases along (almost to set hearing on temporary orders). case which was then the motion for which was urged to be dismissed & was dismissed, depriving undersigned of account, depriving client of funds for forensic account allowing probable hidden assets to remain concealed by husband, advising opposing attorney re content of motion for sanction with no basis, ~~not~~ scope & doing so outside of presence of undersigned depriving notice & opportunity to be heard (deprivation of DUE PROCESS - as us state constitutional, making (denial) on motion to dismiss for cause then ordering re motion sealed (seals) (hides the appearance & ~~is~~ ~~partially~~ & hinders undersigned time collecting from client Ruled on motion for change of judge & ordered it sealed. on vendetta - just dismissed other cases without notice & without cause knowing that undersigned would not be able to challenge due to recent events. Is out of control

(see typed  
"addendum"  
"Further information"  
2



**Addendum to Complaint against  
(Further information)**

(Page 2)

The second request for Change of Judge, filed on \_\_\_\_\_ although the subject of the motion is still pending. A ruling is expected to be out within

\_\_\_\_\_ himself (instead of the Presiding Judge) ruled on the first Motion for Change of Judge for Cause (**Exhibit A**). He denied it, and ordered that it be sealed (**Exhibit B**). This is highly irregular.

The Undersigned prepared and brought another Motion for Change of Judge on another case ( \_\_\_\_\_ ) on very similar grounds (**Exhibit C**).

The Undersigned has been the subject of the State Bar of Arizona raising questions as to the management of his Trust Account. When \_\_\_\_\_ discovered this, he made almost daily phone calls to the Bar to ask of the status, and very possibly, has added some influence to the process. If so, this is very inappropriate. The hearing was held on \_\_\_\_\_ The court ordered at \_\_\_\_\_ temporary suspension preventing the Undersigned from practicing law at this time. The ruling is presently being challenged.

\_\_\_\_\_ has done the equivalent of “lying in wait”, and for the right moment. He issued \_\_\_\_\_ court orders on \_\_\_\_\_ later, and within \_\_\_\_\_ of one another. He dismissed the case of \_\_\_\_\_ using as a (false excuse) that the Defendants (except 1) have not been served. This is false, they have been served! (**Exhibit D**).

The second of the “rapid fire” rulings was an “order dismissing the case for “lack of prosecution” in the case of

**(Exhibit E)**. In neither case had there been a Notice of Intent to Dismiss or motion issued.

also included (“served”) a Minute Entry from the status conference in . The order recites, falsely, that the Defendant has not been able to obtain a copy of his file. Apparently “forgot” that at an earlier hearing which was by the Undersigned. relayed that he canceled the order requiring the production of the file as the Undersigned had been withdrawn from the case earlier.

However, now can pretty much do what he wants without a legal response (apparently he felt there were questions about his jurisdiction). He has threatened to issue by separate Minute Entry, an Order to Show Cause hearing regarding contempt. Interestingly enough, that Minute Entry, dated **(Exhibit F)**, was not sent to the Undersigned until It is the last ring of a 3 rung attack, and as is true of the others, is designed to intimidate and get revenge. Incidentally, file has been available for him to pick up. He shows no interest in doing so.

The importance of the above is that has decided to attack the Undersigned by harming his clients, timing it at a time Undersigned is not permitted to file motions with the court (as an attorney). He waited for the exact moment to strike back, and has done so in a way that is unbecoming of a judge in this state and/or any others. He knows that what he has done will cause significant discord with clients and that if another attorney is to be retained to fight these unjust dismissals, extra costs and fees will be incurred. He is using his office for wrongful (personal) purposes and it is evident from the attached Motions. Instead of attempting to correct his behavior,

pointed out in the 1<sup>st</sup> and 2<sup>nd</sup> Motion for Change of Judge for Cause. has  
become an overt bully, has gone on a further vendetta against an unarmed opponent  
which is inconsistent with the “title of Judge”, and is an embarrassment to the office  
which he presently holds.