

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-305

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court commissioner violated his First Amendment rights.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 a judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officer 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: February 6, 2019

Copies of this order were distributed to all appropriate persons on February 6, 2019.

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

SUPPLEMENT TO PREVIOUS COMPLAINT TO COMMISSION OF  
JUDICIAL CONDUCT OF JUDGE

Once again Commissioner \_\_\_\_\_ committed judicial misconduct. I, \_\_\_\_\_ believes that the board of commission for Judicial conduct has not acted on her is because maybe the board does not consider her Judicial Misconduct severe enough, but I believe that misconduct is not based on how severe it is, but rather if misconduct occurred or not. And it has occurred, and continues to occur, and regardless of how severe, it occurs frequently which is a pattern.

So in addition to Commissioner \_\_\_\_\_ committing Judicial Misconduct before specifically in violating 1st amendment rights and Judicial code of conduct outlined below, she also fabricated statements (outlined below) also made gesture of displeasure of myself as litigant (outlined below) and more recently in ruling dated \_\_\_\_\_ Commissioner \_\_\_\_\_ stated “

\_\_\_\_\_” Right after it is stated that “\_\_\_\_\_”

I have stated repeatedly to Commissioner \_\_\_\_\_ that my work consists of what I do on a computer and internet, it is my socioeconomic status, and is Judicial Misconduct for her to make judgement on what I do for work as long as I am not committing a crime, breaking the law, and causing injury to myself or others, I am free to have a job and work in whatever field I choose. Commissioner \_\_\_\_\_ should have never allowed into evidence nor to use any of my work from the internet as part of her decision making nor to assume that any of it is true or not because it is irrelevant. How is it any different if a soldier is called a murderer and an attorney shows a picture of one of the people killed by the soldier, although that soldier is commanded by their ranking officer, but its presented in court? Would Commissioner \_\_\_\_\_ remove child from that soldier for being a murderer? Or what if an attorney presented that \_\_\_\_\_ or \_\_\_\_\_ murdered someone and they do drugs and the evidence they presented was video from movies that \_\_\_\_\_ or \_\_\_\_\_ have acted in? That is their job to be actors and display and portray an image for entertainment purposes for their income which is their socioeconomic status. I have never murdered anyone. I have never committed tax fraud nor am i under investigation for tax fraud or any kind of

fraud. I do not understand how it was ignored that Commissioner [redacted] committed Judicial Misconduct since first ruling dated [redacted] by putting in her ruling and considering what i do for work. She states “

”  
This is clearly Judicial Misconduct. Commissioner [redacted] is supposed to make rulings on facts and evidence and here she is making an opinion, which are of things that are not true, there is no evidence of, and is part of what I do for work (socioeconomic status). Commissioner [redacted] is NOT allowed to have a personal opinion about what I do for work.

On paragraph [redacted] she states “

”  
This is clearly Judicial Misconduct. None of these things are facts, there is no evidence of any of this, these are all UNQUALIFIED opinions of Commissioner [redacted] personal dislike and personal feelings about what I do for work. Absolutely none of it has anything to do with raising and providing for a child or keeping a child safe. All of it is my 1st amendments rights to freedom of speech, freedom to work in whatever field it is I choose, and has absolutely no effect or direct impact on a child. Commissioner [redacted] does not have a Masters or Doctorate degree in mental health or human behavioral health [redacted] or to have concerns of [redacted] just because I work in a field that she does not understand and personally dislikes. Those are her opinions. Court is no place for opinions. The court and rulings are only to consist of facts and evidence.

And after wasting \_\_\_\_\_ to test for drugs and alcohol I was the only litigant that produced \_\_\_\_\_ clean testing to the court and only the mother \_\_\_\_\_ was the litigant that failed her testing and then refused to test other times but Commissioner \_\_\_\_\_ did not charge her with contempt nor made any reference whatsoever to the mothers violating of court orders. Commissioner \_\_\_\_\_ is biased in favor of mother, and has held father, myself, to a much higher standard. This is outright Judicial Misconduct, and I don't understand why the board for Judicial Conduct has not acted. Commissioner \_\_\_\_\_ is ruining families and affecting the lives of fathers and their children and the commission fails to act because maybe her misconduct is not severe enough? I don't understand, please take another look at these things. Please remove Commissioner \_\_\_\_\_ from bench.

#### RECORDING

: I state specifically to Judge \_\_\_\_\_ that I have physical evidence of perjury committed by both \_\_\_\_\_ as well as her mother \_\_\_\_\_

Judge \_\_\_\_\_ is quoted as saying “

I, \_\_\_\_\_, is emphasizing the importance of truthfulness and perjury and how it relates to decisions made by Judge \_\_\_\_\_ throughout these hearings.

These are updated Statues of Arizona Law in reference to perjury that Judge \_\_\_\_\_ is not enforcing action onto the Respondent \_\_\_\_\_ and her mother \_\_\_\_\_

#### Perjury; classification

A. A person commits perjury by making either:

1. A false sworn statement in regard to a material issue, believing it to be false.
2. A false unsworn declaration, certificate, verification or statement in regard to a material issue that the person subscribes as true under penalty of perjury, believing it to be false.

B. Perjury is a class 4 felony.

#### **Arizona Perjury Laws at a Glance**

The penalties for perjury in Arizona are covered in the below table.

Crime/Sentence

Code

Perjury

If someone is convicted of perjury, they are guilty of:

- Class 4 felony
- Punishable by a minimum sentence of 1 year, a maximum sentence of 3.75 years

Arizona Revised Statutes § 13-2702

False Swearing

- Class 6 felony
- Punishable by a minimum sentence of 1 year, a maximum sentence of 2 years

### Sec 13-2705. Perjury by inconsistent statements

*Latest version.*

When a person has made inconsistent statements under oath, both having been made within the period of the statute of limitations, the prosecution may proceed by setting forth the inconsistent statements in a single charge alleging in the alternative that one or the other was false and not believed by the defendant. In such case it shall not be necessary for the prosecution to prove which statement was false but only that one or the other was false and not believed by the defendant to be true.

RECORDING . The Petitioner, myself, is being questioned about whether I had been robbed in my home. The Respondent, stated out a false accusation, which then Judge asked me the question if I had been robbed in my home. Specifically at Judge asked if I had been robbed in my home and i said no. and again at Judge asked if I had been robbed - yes or no, and I answered and said no. and then Judge asked if I had been robbed since and I answered ' which is the truth.

In addition to the fact that i told the truth that i have not been robbed there was also no evidence to the contrary so the only reason that Judge was given about a ' ' was a statement by the Respondent, which has lied in court and under oath.

But Judge chose to give preference to the that is just like Judge and falsified and fabricated these

statements on her **IN RULING DATED** ,  
**FINDS** page line which Judge

**COURT FURTHER**  
stated ‘

On Judge denied the ability to video record proceedings in court for hearing dated to monitor her conduct. Her reasoning was due to a fabricated statement by Attorney Judge denied my constitutional right to record by video the court proceeding just because she believed the statements of Attorney which was not supported by any evidence or facts. I need by statement or order from the commission to allow me my constitutional rights in court to monitor the conduct of Judge whom has already violated my constitutional rights, has fabricated statements, has shown bias, and will continue to do so. By the time the commission would have received this, I would have already filed a motion to the presiding judge about being allowed to have video for the hearings.

**RECORDING** , I, stated that judge did not fully understand the 1st amendment and at the there was a pause because Judge rolled her eyes and made a gesture of displeasure which is inappropriate and can be conveyed as bias. see comment 2 below

## ARIZONA CODE OF JUDICIAL CONDUCT

### **RULE 2.3. Bias, Prejudice, and Harassment**

- (A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.
- (B) (B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do

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