

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-342

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge issued erroneous rulings and that his inaction caused Complainant distress.

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).

Commission member Gus Aragón did not participate in the consideration of this matter.

Dated: February 27, 2019

Copies of this order were distributed to all appropriate persons on February 27, 2019.

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

Complaint Against:

Judge

Court

2018-342

Re:

No.

On _____ I was taken from my home by an Order of Protection filed by my wife, _____, a _____ and _____. The order also prevented me from any contact with my son, _____ leaving _____ in custody of his mother _____ a convicted _____ with a _____

On _____ my attorney, _____ filed an Emergency Motion for Temporary Orders RE: Parenting Time and Exclusive Use of the Marital Residence. No. _____

On _____ I appeared in court with my attorney. In documents filed with the court, a deed for the residence at _____ was filed showing me, _____ as owner of the home. Also filed was a document signed by _____ stating she had no interest in the home. Other documents later filed showed the _____ down payment on the home was a gift to me, _____ from my mother and step-father, _____ and _____. The home would not have been purchased had it not been for this gift which was solely given to me. All payments were made by me as my wife, _____ has never held a job and has refused to get employment since the _____ of the marriage in _____

Presented at the hearing were letters from my sons, _____ & _____ stating that they had not witnessed the alleged abuse. These letters were rejected by Judge _____ because my sons were not present at the hearing. _____ is _____ and _____, _____ was working. Accepted by Judge _____ were pictures from _____ showing a _____ and alleged damage to the house. All of which could have been caused by her own actions.

The hearing on _____ ended after _____ and _____ hours because there was another case for the judge to hear. The attorneys were told to file any additional paperwork by _____. No decision was made by the judge until _____.

The ruling made on _____ gave sole custody of my son _____ and sole possession of the house to _____. As of this date _____ has _____ of school and has been caught with marijuana in his possession. The house, which could have been sold for a profit, is still not on the market and will be _____ on soon. I was ordered to make all payments on the house even though I was homeless and living in _____

Attorney fees in excess of _____ have been paid to _____, my attorney. Since I saw no benefit at all in pouring more hard earned money into this, no more payments are being made and Mr. _____ has withdrawn from the case.

This is unconscionable. Judge _____ inaction has caused great distress to me and my entire family. This divorce involved _____ year old child and one asset being a house. Judge _____ actions have resulted in a destroyed life for me and for my _____ year old son. Attached is the case activity.