

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-380

Judge:

Complainant:

ORDER

The Complainant alleged a superior court judge improperly refused to disqualify an attorney, did not allow her extra time to receive her mail, and made improper rulings in a family law matter.

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: April 10, 2019

Copies of this order were distributed to all appropriate persons on April 10, 2019.

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

2018-380

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.

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On or before [redacted] Respondent informed the court of her enrolment in the states ACP Program (at the [redacted]). Court was informed regarding these laws, and how her mail would never be received immediately. The court would need to always be mindful of the laws and statutes governing the program and Respondents rights. ACP personally called the court in the beginning of this case to explain Respondents rights in more detail.

See exhibit A

(Reference [redacted])

On [redacted] Respondent's lawyer [redacted] spent hours in chambers arguing case law and requesting Justice [redacted] to legally require the attorney for Petitioner, [redacted] to recuse based on severe conflicts of interest in this case. Respondents former medical provider, [redacted] was legally advised by **her son and attorney** to call Respondent and abandon her with no medical care or referral, despite severity of Respondent's medical conditions, and crisis. [redacted] continued, and violated Respondent's civil rights by advising his mom and client to purge and withhold Respondents personal medical records from her for a [redacted] now. Justice [redacted] is aware from statements in open court by Respondent that she is unable to get her records, yet Justice [redacted] allowed this and further accepted sanctions and contempt against Respondent by [redacted] for not adhering to allowing Respondent to exercise her constitutional and civil rights to obtain her own medical records.

However, [redacted] maintained his refusal to recuse from this case, and Justice [redacted] allows it.

(Reference [redacted])

On [redacted] at trial again, Respondent informed the court about ACP laws, "[redacted]", (stated at [redacted] time on [redacted] court trial [redacted]) and the mail issues specifically the time lapse she needed for her to receive mail. Respondent further informed the court she was not permitted to retrieve her medical records from her lost medical provider, due to the legal counsel of her son and attorney, ([redacted] attorneys for Petitioner from [redacted]) also attorney for Petitioner in this matter and on [redacted] other matters, which to date they refuse to share information in this case about including but not limited to various debts ([redacted] states/confirms this fact in his recent order. no records of debts income etc. just a spread sheet provided by [redacted]), and representation on an eviction for Petitioner used to abuse Respondent leaving her homeless on the streets with child, and animals. Threatened by a constable for [redacted] days morning, noon and night.). Justice [redacted] failed to consider Respondents civil rights that were being violated then and to date continue despite continual filings and statements in open court by Respondent to Justice [redacted] is allowed by [redacted] to file multiple sanctions and contempt's to date, and further allows these to be upheld.

(statements by [redacted] evidence I have show his mom/client contra-dicts his [redacted] Bar says this is [redacted] issue [redacted] War gets involved after court done not sooner)

[redacted] Respondent was heavily medicated at the [redacted] trial for medical reasons. Respondent was ordered/intimidated by [redacted] employee - bailiff [redacted] the day prior to trial, (video recording of employee, [redacted] statements on [redacted] available upon request)

Justice [redacted] held [redacted] trial despite medical orders. Despite the Medical orders provided to stating "[redacted]"

” effective date : -
additional medical providers statements and letters were written to in support of Dr. Orders, and one of these is petitioner’s attorney mother’s letter. A document Respondent has found. client/mom, purged from Respondent’s medical file to date. (video available upon request)
Judge is not a medical expert/professional or doctor however he states

Exhibits B - E

has a copy of both parties notarized signatures on a post-nump (signed by Petitioner and Respondent), however, the judge fails to acknowledge or take this into consideration. Husband acknowledges his abuse and the detriment of his abuse leaving minor child and wife w severe trauma and in dire need of medical necessity. “

”

not only has proof from medical providers about the medical conditions and trauma, but Petitioner additionally admits this himself in signed his own contract.

Exhibit F

On states in open court to justice is now being investigated by the nursing board due to Respondent’s complaints. went further to flaunt this new hired attorney in to show and tell to Justice failed to see the red herring that this in fact validates Respondents steady plea and complaint for a she cannot get records, and client and mom has further admitted she has purged Respondent’s file. states he is not representing his mom’s “ he just represents her “ ” during this case, yet his mom/client states she has never had a lawyer for the “ ever, she has always had a “ lawyer. (all video/DVD’s available upon request for these statements by and court hearings) (Reference)

On Justice failed to respect the ACP laws, which violated Respondent’s basic rights and laws the courts are bound by. Despite multiple objections from Respondent, while reminding the court of the fact Wife has none of the exhibits and reminding everyone, she is an ACP participant, could continue admitting these documents into evidence, despite knowing Respondent has never seen or received any of these documents. Justice allowed to use his documents, despite knowing had just placed them in the mail a few days prior to trial. allowed this to continue throughout the trial, as he ignored every objection by Respondent, further entering documents onto the record. Respondent was prejudiced for being in ACP, and rights were violated knowingly while Respondent was medically ordered, “

(Reference and exhibit A)

On and throughout this case filings and requests, judge fails to follow Basic rule 49 discovery requests by Respondent. No bank records, no income verification, no taxes for or Petitioner made over but he and claim he made month. Judge fails to look at verification and failed

to have them disclose these despite Respondent's numerous filings, emails and requests. (proof provided upon request)

Judge gives cars to husband. Despite the judge having a copy of the signed contract by Petitioner and Respondent stating the car was wife's property prior to marriage, the judge gave wife's equity/property to husband. Judge gave wife the car if wife can pay a near car payment and balance of , and refinance the car knowing Wife's unable to work, and is homeless living in her car. Judge has contract signed by Petitioner and Respondent that he refuses to acknowledge.

is underwater stated by judge. Wife and daughter are homeless and suffering medically and judge left wife and child w no vehicle and soon Wife will be with car to sleep in.

Respondents first attorney stated on the record , he has never seen a case like this, and he had to withdraw due to the abuse by Respondents first attorney stated on this day in open court he has never had a client while husband makes over year. (DVD available upon request)

(Exhibit G)

Respondent has been prejudiced for having medical issues, and for being part of ACP. Respondents rights to a fair trial have been violated, her civil rights violated, laws broken by judge and his refusal to follow mandates and laws of ACP, took away Respondent's rights to be allowed basic Rule 49 discovery and failed to protect the laws and rights of Respondent throughout this case allowing to remain on this case despite conflict of interest.

ACP Director will be investigating more, the laws and rights that were violated by Currently the clerk is also investigating of missing documents from Wife's filing. You can note on and has refused to allow the clerk to give a copy of his file as well.

UPDATE From the original writings of this complaint:

The supervising clerk has stated a few bias and prejudicial comments coming directly from the judge and/or his employees (I have videos of of these statements)

(I have the below transcript recorded upon request I can make it available)

"
 : I have documentation they did. (Of important note, I have photos and video from of Bailiff holding this document in court employee made the clerks copy from this original copy the judge had. Bailiff for stated he could tell me the judge on my filing, and further after I stated I had medical orders I'm not well to do the trial... stated he would testify against me and nothing was wrong with me.)