

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-004

Judge:

Complainant:

ORDER

The Complainant alleged a superior court judge lacked jurisdiction over him in a dependency proceeding.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Dated: May 15, 2019

Copies of this order were distributed to all appropriate persons on May 15, 2019.

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

FOR OFFICE USE ONLY

2019-004

COMPLAINT AGAINST A JUDGE

Name _____ Judge's Name: Honorable

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.

- (1st Amendment) - "Freedom of Religion, Speech, Press, assembly, and Petition"
 - (4th Amendment) - "Security of person and possessions against search and seizure"
 - (5th Amendment) - "Prevention of Double Jeopardy; Right against Self incrimination"
 - (6th Amendment) - "FAIR, SPEEDY, AND PUBLIC TRIAL BY JURY; RIGHT TO COUNSEL"
 - (8th Amendment) - "Prevention of cruel or unusual punishment; and excessive fines"
 - (9th Amendment) - "Protection of rights not enumerated in the Constitution"
 - (10th Amendment) - "Preservation of the rights of INDIVIDUAL State, or PEOPLE"
 - (11th Amendment) - "Definition of Judicial powers of the U.S. in certain cases"
- All previously mentioned Amendments were violated, and are still currently being violated in court, located to the best of my knowledge at:

operate therein, on or about (currently) ... by Judge, approximately without local charge at, and those who

was in attendance in a Court of county for the matter of

P.O.B. (CHILDS NO. who are in fact my biological children, as I am the father. During this initial appearance () for a DCs dependency petition for paternity, and/or child support, regarding my children who's names were previously mentioned, wife" and myself who are and were not residents of the State of, nor have not been in the state of. For the month time frame for the court to exercise my judgement with Jurisdiction. The court was claiming an Jurisdiction, with allegations noted that I was the alleged threat with - noted I was never threatening to my children. During this initial proceedings = Denied appointed counsel, hence, who Judge = appointed over my verbal objection,

(" ")

The mother, and I both denied, and objected to emergency Jurisdiction, due to the fact that Arizona is an inconvenient Forum under A.R.S. § 25-1037, Because all allegations are coming from another state. " All allegation

allegedly took place in another state, not the state of the department located in the state of Arizona, became involved on or about . The mother and I roughly at

different times in the state of Arizona Separate between , and . The mother brought the children, from the State who is the allegations which is some how

the grounds on which the court obtained Jurisdiction against both of our consent, and objection under duress and protest using threats to "

Applicable law ... in pertinent part, " " is defined as "

• A court of this state (Arizona) ONLY has Jurisdiction if any one of the following applies under A.R.S. § 25-1031:

(1) This state is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child for at least months before the commencement of the proceeding and the child is absent from this state but a parent or person acting as a parent continues to live in this state.

(2) A court of another state DOES NOT have Jurisdiction under paragraph (1.) or a court of the home state of the child has declined to exercise Jurisdiction on the ground that this state is the " Under -

- § 25-1037 or 25-1038. (meaning that the allegation came from this state, and or this state holds majority if not all of the substantial evidence needed to determine judgment, and or jurisdiction with the exception of Emergency Jurisdiction) and both of the following are true:

A. The child and the child's parents, or the child and at least one parent or a person acting as a parent, have significant resident connection with the state other than mere physical presence.

B. Substantial evidence is available in this state concerning the child's care, protection, training and personal relationships.

Note: Due to the family preservation, and their observation = (there is none.) contact info:

(3.) All courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction. (which the original state of " " has in fact declined to exercise jurisdiction, as well as declined to even open up a case ... even though the " " is in fact the home state, and has been for the past plus of the children's life, and the parents as well obviously, and the state is were all claimed alleged allegations took place.

A person/child not residing in Arizona for months prior to the commencement of an action

- does not qualify to give this Court of the State of Arizona Jurisdiction under III "Jurisdiction in Arizona is not proper legally because the requirements of A.R.S. § 25-1031 ARE NOT MET. Because children and parents come to Arizona at some point in time frame of , Arizona can not be considered the " by the time frame set forth in A.R.S. § 25-1002 (7)(a). is the home state for parents and children, and we are only being forced/kept here due to the courts threats of imprisonment and or loss of parental rights. A.R.S. § 25-1031(A)(1). The majority/all allegations, and the alleged extradition, all concern the state of

"
"
"
"
"

Due to the length of time children/parents resided
 - Due to relative financial circumstances of the parties/party (me). Due to no agreement of the mother, and I because we both have objected jurisdiction from the first court case, and due to the nature and location of evidence required to -

- resolve pending litigation, because all evidence, and/or allegations are located in which in turn would need testimony of witness due to place of allegations, and without that, it would violate (5th, and 6th Amendment).

And lost ... The familiarity of the Court of each State with the " " and issues in the pending litigation ... is the location of past and current legal proceedings regarding father, mother, and/or the children. It has the best access/fourn to relevant

With all that being said, I have made the Court very much aware, yet they refuse to obey the law of the land sworn upon oath to uphold. This is scary, and a constitutional problem / tyranny / treason.

Trial was set for _____ at _____
The original trial date was apparently pushed back without consent, or notice given from, and/or to me of so being done without me being present after I requested to be, that being my God given right. That is fraud on multiple levels, fraud, fraud in the inducement, hidden fraud, fraudulent concealment, due to lack of training by failing to secure attendance of prisoner of who did not give consent knowingly, voluntarily, and/or intentionally for.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**