

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-080

Judge:

Complainant:

ORDER

July 17, 2019

The Complainant alleged a municipal court judge improperly issued a protective order.

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).

Copies of this order were distributed to all appropriate persons on July 17, 2019.

2019-080

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.

On _____ Judge _____ authorized an order of protection for my wife, based only on her statements, without fact, proof, or any evidence, the order was signed and served to me.

I was not afforded due process by constitutional law, and was denied my property, access to that property, also denied due process to confront my accuser prior to the signing of this order. No facts were presented, no evidence to support my wife's claims, only her statement was considered. In her comments, she stated by her own belief only, that I will (quote) *I _____ * unquote. She made additional statements about my driving now, which are complete fabrications, as we shared the vehicle and were in that vehicle together almost all the time. She refused to admit that we remain in the HOV lane as long as possible, to avoid the majority of the craziness most face, so her comment, is a lie.

Everything she stated in her letter, is a fabrication, based on our arguments over finances for the house. She sees no problem spending money on things we do not need, and argues with me when I state that we are behind in rent because of her employer forcing her to be off of work for several days at a time, because she had to make an appointment to see a doctor at a clinic for health matters.

The judge was not given any documentation by me, that refutes my wife's comments, so he decided that my rights had no merit, and was justified openly violating my constitutional rights to my property, due process, and what amounted to, a search and seizure of my property.

_____ ploy to have me confined, worked, and _____ police removed me from my home without due process, and violated my rights. They had no arrest warrant, and they imprisoned me in a van, by placing a belt around my waist, and handcuffing me. I was forced to sit and wait for almost an hour, before being transported to _____, to _____.

Where does the constitution allow anybody to openly violate the constitutional rights of another, without due process, and without affording that person, legal counsel, and to face his or her accuser?

My rights were criminally violated on the sole words of my wife, and based only on her personal feelings and anger she openly has for me.

I can prove she has made comments that refute the above statements she told the court, by her sister, with whom I have talked to during this timeframe.

Her sister has repeatedly informed me of how good I was as a husband, and did my best to make her life easier.

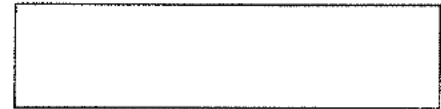
_____ has a childhood trauma from being raped, and physical assault by her father, who suffered from alcoholism, all of these were told to me by _____ several years ago, but she has kept them hidden, and I firmly believe she is using that pent up anger against me.

I request this order of protection be denied, and quashed immediately, as no history or facts, exist.

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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As a result of my being forced from my own home, by the judge's order, I was immediately facing homelessness, no financial support, no access to housing or clothing, and no transportation. The judge's actions placed my life in danger of hypothermia, starvation and being homeless. I was denied access to all personal property, mail, and even tax information that has to be completed. My entire life has been destroyed, and I have been living in a rental car, that must be returned this Friday, as I am unable to afford to continue renting it, which means I lose my only form of safety from the cold weather we are currently experiencing.

The judge did not consider the harm and dangers I would face by his actions, he only considered the words of my wife, and ignored the great physical distress he placed upon me, and it is continuing now, as I type this at my workplace.

One person should not be able to ruin the life of another, based on feelings, and supported by nothing. _____ has become cruel and vindictive against me, and is also guilty of spousal abuse, which was carefully ignored.

There is no history of any family/marital problems. Just the opposite is true. I have been 100% supportive of anything she does, and has done.

I would never assault my wife, never have I thought about such a thing.. Even now, after all she has done, would I consider such lunacy.

We can part company as adults, not children, and her actions are nothing more than childish ramblings because she now despises me, for whatever reason.

I should not be denied my rights based on a single person, and which has no supporting evidence, no proof, witnesses, or history to back up such claims. Nothing valid, exists.

My life is still under threat, as my health is suffering, my nutritional needs have been ignored, as well as my right to freely make use of property I paid for.

I do not understand how my constitutional rights and protections, can be ignored and freely violated by anybody, and I am requesting that action be taken, to prevent future transgressions from taking place, or even being considered.

The law must be changed, to prevent one person from causing so much damage, simply because they are angry.

There must be checks and balances afforded to all, not just the complainant. Proof, evidence, witnesses, none of which were used to deny me my rights, and there should be a minimum standard in place, to ensure the rights of others, are not being trampled upon by anybody.