

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-278

Judge:

Complainant:

ORDER

November 20, 2019

The Complainant alleged a superior court commissioner improperly refused to reduce his child support arrearage.

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 Commission Rules 16(a) and 23(a).

Commission member George H. Foster, Jr. did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on November 20, 2019.

2019-278

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____ The 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.

On _____ approximate, in a hearing before the Honorable _____ mv ex-wife,
committed perjury during testimony in _____ Atlas No.: _____ Ms.
testified that she had custody of my/our son, _____ from _____ through mid-
approximate. Based on Ms. _____ mother's testimony, Ms. _____ in
questioned, _____ had custody for only _____ months in _____ during the time period being
New Information, Perjury And Attempt To Defraud, or a motion with a similar caption addressing this issue,
that my ex-wife did commit perjury, that she did lie, and that I should have approximately _____ plus
interest and arrears deducted from mv child support debt since mv ex-wife clearly did not have custody
during this time period — _____ through mid- _____ approximate — except for
_____ months in _____ The State, Assistant _____ Ms. _____ responded to my motion in kind
indicating in the response that she was willing to go back and recalculate child support based on the
judges order and the perjured testimony, but preferring not to address Ms. _____ in the
states words. Instead. the judge denied my order, allowed the perjury to stand, and I am paying child
support for _____ during which my ex-wife did not have care, control or custody of my son, was
unemployed, paid none of his expenses, did not take him to school, did not pay for his food and did not
live with him. She visited him periodically at her mothers house who then had legal ciustody, In Loco
Parentis. So I filed a motion for a request for facts and conclusions of law and the Honorable
_____ denied the motion. I can't even find out why she denied my motion when the perjury was clear and
the state. Assistant _____ was willing to recalculate support and even mentioned Ms.
" _____ regarding lying under oath. Just several days after the perjury by _____ during the
_____ hearing before the Honorable _____, both Ms. _____ and Ms. _____ filed
a Motion To Seal Not Opposed in AZ Case Number _____ an attempt to prevent me from
accessing those documents and discovering the perjury. Thankfully that motion was denied, the
Honorable _____ (not sure of last name) denied a Petition I filed for modifying parenting time
because I needed to reference the newer order — _____ — and I had referenced
_____ in my Petition so I was able to access those documents because the Honorable
_____ provided me with the case number, _____ Otherwise, that testimony was new to me.
This is actually a crime committed by a Judge, requiring me to pay child support I don't owe, failing to
allow the state to perform a legally required recalculation to legally reduce the support debt being paid
now _____ and allowing my ex-wife to commit both perjury and fraud in excess of
_____ dollars.

I'll get my own new judge as a Movant Pro Se, In Forma Pauperis, at the State of Arizona's expense and I'll get the order I want. This complaint is not the last stop in this process. Thank you.