

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-317

Judge:

Complainant:

ORDER

December 18, 2019

The Complainant alleged a pro tem justice of the peace entered improper orders in a protective order 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 Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on December 18, 2019.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-317

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.

Plaintiff Ms. _____ years old, filed in _____ Court for Order of Protection.

Defendant _____ i.e., alias X-Boyfriend, for plaintiff's work place _____ The defendant and plaintiff fight all the time on how to spend plaintiff's funds in _____ banks about investing in properties under both are names, _____ Defendant would get very angry, yelling jivating his hands to a point that plaintiff was frightened.

Plaintiff many times told Defendant to _____ at _____ but defendant refused. Since defendant has been living in my home over _____ apparently he allowed to remain in my home. It was made know to plaintiff, I believe in the Judge's courtroom, that this defendant had either _____ guns and a rifle

Defendant weigh over _____ pounds more than plaintiff does. Other means through the court system had to be established in order to remove the defendant. Plaintiff feared for her life and decided to file an eviction notice to remove the defendant from plaintiff's address mentioned above. The _____ which plaintiff did _____ Court.

Listed for the reason of requesting an Order of Protection was to remove the defendant from plaintiff residence. Plaintiff also mentioned that defendant had, at least on _____ times, showed plaintiff his _____ and _____ plaintiff was sitting in at that time, or in plaintiff's _____ Plaintiff told defendant many times, NO NO NO, find someone else, so defendant did.

Plaintiff vowed every waking moment online, subscribed to several paid dating sites defendant _____ Plaintiff advised defendant, you are not to bring

_____ Court Judge _____ did sign off on an Order of Protection dated _____ giving the defendant full run of Plaintiff's home, while Plaintiff works _____ at an _____ shift times _____ giving defendant full range of gather his personal items plus plaintiff found some of plaintiff's items missing.

Justice _____ put these remarks in the body of the Order of Protection, **COURT HAS FOUND REASONABLE CAUSE TO believe that defendant may commit an act of domestic violence or has committed an act of domestic violence within the _____ (or good cause exists to consider a longer period. NO CRIMES. Defendant shall not commit any crimes, including but not limited to harassment, stalking, or conduct involving the use, attempted use, or threatened use of physical force that would reasonable be expect to cause bodily injury, against plaintiff, or protected persons(s) SEE FOOTNOTE 1. NO CONTACT. defendant shall have no contact with plaintiff except through attorneys, legal process,**

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court hearings

PROTECTED LOCATIONS. defendant shall not go to or near the plaintiff's or other protected person's residence at _____ beginning at _____ on _____ or workplace

Another incident happened which was reported to _____ that defendant _____ has been talking to plaintiff, which was agreed to in Justice _____ courtroom. Yet when plaintiff reported this incident to Constable _____ Constable told plaintiff he would discuss the incident with the Judge. Well Nothing happened and the defendant is still living in my home which plaintiff pays a monthly mortgage on. Never heard back from Constable _____ what the Judge's decision was.

Another incident also happened when the technician from _____ came to install new service under plaintiff's name. Defendant _____ into plaintiff's _____ while plaintiff was cloving the room door while talking to the technician. When defendant did this, plaintiff almost fell into the _____ and defendants _____ in order to get the old _____ equipment which defendant cancelled service on. Defendant at that time, in front of the _____ technician wanted to make sure that the plaintiff didnt remove the equipment so that plaintiff could " _____ ?" Weird.

Plaintiff is questioning why, I, plaintiff can allow this defendant to live in my home, _____ while the defendant has reign of plaintiff's home?

SEE NOTE #1

Nothing happened to defendant after plaintiff report the NO CONTACT INTERACTION BETWEEN PLAINTIFF AND DEFENDANT. Mentioned in courtroom that defendant was _____ that plaintiff bought. Justice _____ solution was, quote "

_____ ?" Plaintiff saw the empty bag of _____
..defendant later said to plaintiff, quote " _____ "...when
defendant isnt supposed to be any verbal contact with plaintiff. Another instance was, when plaintiff wanted to _____ that plaintiff _____, plaintiff's confined secured
defendant said again when not supposed to talk to plaintiff, quote, "
" No it all again, stilling living in my home.

SEE NOTE #2

Justice _____ gave this defendant run of plaintiff's home, taking whatever he wanted and taping all the _____ Justice _____ said plaintiff couldnt search any of the _____ to see if any of plaintiff's personal items had been taken out of plaintiff home by defendant. Again, the defendant has the upper hand and is still in plaintiff's as of this writing. Defendant told the Judge he has no place to go, but within

Continued from letter already mailed

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but within after the Order of Protection, the defendant did put down a deposit on a from plaintiff's residence. Defendant made the excuse that the for was redoing the inside of defendant's home, but yet defendant has been moving from the boxes from plaintiff's residence and going where with them??????

When defendant came into plaintiff's room to get the and cables, defendant also removed the and boxes leaving plaintiff with no

Plaintiff's home is just a " " until the court order move out date of The judge also told the defendant to remove all guns from plaintiff's residence, which defendant did, to the ...does that make any sense....it doesn't to me.

Plaintiff still locks herself before plaintiff loses her home, (interior damage) or destruction of her

Plaintiff's suggestion is to remove the defendant from plaintiff's home now, as soon as the justice committee reads plaintiff's remarks. Plaintiff did write that she does come when its work, who knows who or what is waiting for plaintiff???????? DEFENDANT

Please help me make this RIGHT, plaintiff is and still needs to work to keeps personal properties that she solely owns.

Thank you for listening

ADDITION NOTES ADDED ON

Defendant's habits while still living at plaintiff's residence:

1. Turns on the air conditioning unit (purchased by plaintiff) when the temperature outside ? Defendant refuses to open any windows because

2. Plaintiff had a female friend over who why we both talked, defendant approach the female friend and quote, " " Happened

3. Defendant took all the that plaintiff brought initially with her

4. Defendant was getting gas with plaintiff's plaintiff, which was taken out of plaintiff's Plaintiff only knew about this when the we had together, then the defendant told the plaintiff.

5. Why is plaintiff having while the defendant runs freely throughout the plaintiff's home?

6. Plaintiff put a _____ each side of plaintiff's home, to keep herself safe as well as the _____

7. Plaintiff put another _____ which is _____ which belongs to plaintiff as well as the _____ since the defendant has brought by plaintiff.

8. Plaintiff did put a new _____ which plaintiff upgraded into the open _____ Plaintiff does not what the old furniture left in plaintiff's residence, just want to keep the _____ remaining her in home.

9. Plaintiff has no idea when defendant is moving...could it be while _____ ?...could it be when plaintiff _____ ? who knows. Defendant was instructed by the court not to speak to plaintiff, but, for some reason defendant thinks he is exempt from that part of the Order of Protection. Defendant has spoken many times to plaintiff, but plaintiff has never spoken to defendant since the Order of Protection was signed.

10. Plaintiff is also requesting the court to order defendant to relinquish all keys to residence at _____ all garage openers, which defendant made several copies of, and the other car key that the plaintiff is making monthly payments on, that plaintiff remain in/on premises when the defendant moves out. If defendant moves out while plaintiff is at work or away from residence, would _____ from neighborhood gangs which live in the vicinity of plaintiff's home, at _____ and on the same street that plaintiff lives on.

11. Defendant as of this writing, hasn't _____ but yet sits inside my residence _____ Defendant just brought a _____ which means he could have moved to his new residence at the _____ on _____

Defendant is still holding on to the fact that his _____ is still under inside construction, but still is camped out at my residence.

12. As plaintiff previously said, quote " _____ " instead of moving out and giving plaintiff peace of mind that plaintiff is again secure in her home without _____ when both the defendant and plaintiff are home together.

13. This arrangement that Judge _____ is truly unfair to the plaintiff being mentally tormented to come home either after work or from grocery shopping and finding the defendant still loafing around at my residence. The Judge _____ should have given the defendant _____ to remove himself and his personal items from the home of the plaintiff. But it seems like the plaintiff is the bad person here and the defendant has control of what is going to happen next.

14. Plaintiff is asking that the decision made by Judge _____ be overturned and immediately remove the defendant from plaintiff's home. Plaintiff is the person at risk for any other _____ and or destruction of her personal property including inside/outside of the residence at _____

15. It isn't that the defendant has no where to go, defendant has an excess of funds (money) to move into a week/monthly apartment with _____ until, if truly correct, his _____ is finished. The Court _____

believed defendant, but plaintiff didn't. This is another of the defendant's tricks to make plaintiff upset.

16. Plaintiff is REQUESTING that the defendant be removed from plaintiff's residence IMMEDIATELY, so plaintiff can continue her peaceful and secure life styles plaintiff had previously without the defendant.

17. Plaintiff can be contacted at _____ or leave a message. Plaintiff is not permitted to have her cell phone _____ Plaintiff will be waiting for a determination on what the next step will be to remove the defendant from plaintiff's home before _____ Plaintiff's unsecured home, when/if defendant moves out while plaintiff is at work, will be grounds for a complaint against the _____ and the defendant being responsible for any damages incurred,

_____ while plaintiff's residence is left unsecured when/if the defendant moves out while plaintiff is not included to over see the move out.

Plaintiff _____ is the VICTIM, NOT the defendant. Plaintiff cant enjoy the pleasures of her own home, while defendant sleeps there, watches TV there and enjoys the pleasures of life that is not available for the Plaintiff.