

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-346

Judge:

Complainant:

ORDER

February 5, 2020

The Complainant alleged a municipal court judge prejudged his case, improperly upheld an order of protection, and was biased against him.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 5, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-346

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.

The Defendant after requesting a hearing on a signed Order of Protection claim arrived at _____ and went to _____ to be assigned a Judge to hear his request for a Dismissal of Complaint OOP # _____. The Defendant was requested to pre-sign a Right to Appeal Decision document before given the courtroom where the case would be heard. This process already gave the Defendant and Witnesses the impression of the verdict was already decided since they were requesting to have documents signed ahead of pending trial. The Defendant arrived with witnesses (_____) and was directed to Courtroom _____ for a hearing scheduled to begin at _____. The Defendant and Witnesses then were forced to wait an additional _____ with no explanation from the Court for the delay. There were no court proceedings in progress when the Defendant and Witnesses arrived at the Courtroom at _____ exactly. The Plaintiff arrived to the Courtroom through the Bailiff's door, separate from the General Publics entrance, where everyone else entered the Courtroom. Court begun at _____ Judge _____ heard the Plaintiff's accusations and allowed the Defendant to cross examine Plaintiff. The Plaintiff made statements that the Court required no evidence of factuality and was requested by the Defendant. The Defendant admitted _____ witnesses and factual evidence of the dispute of the Plaintiff's allegations. The Judge after hearing the presented evidence still presided on the Plaintiff's side, even after hearing vague and non responsive answers from the Plaintiff about her allegations, the _____ independent witness's testimony, the Defendant's cross examination of the Plaintiff and the Defendant's testimony about the allegations, and judged that the Plaintiff was credible and that the Defense was questionable at best. The Defendant and witnesses felt that the verdict was already predisposed even before it was presented in front of the Court. The audio and transcripts should bear out the Defendants allegation of corruption in the system. Where as a reasonable person would have come to the same conclusion as the Judge did in his decision. The Defendants and Witnesses feel that the Court made this biased decision due to the fact that the Defendant has filed a _____ Lawsuit in _____ (Complaint _____ for damages against the _____ and _____ that was summarily dismissed due to the Defendant's incarceration during the period where the _____ was requesting crucial filings to maintain the Complaint. The Defendant believing that all actions during the last _____ was an orchestrated effort of the _____ criminal justice system to subvert and hinder the Defendant's lawsuit. The Defendant has now requested an Appeal to the 9th Circuit Court for presiding over the allegations accused against _____) The Defendant however has come to the conclusion that as far as _____ there is no such thing as equal and impartial (blind justice) prosecution of citizens of the United States. These Judges submitted in _____ separate complaints should be admonished and replaced, they obviously have forgotten their oath and presiding over the citizenry with personal and prescribed reasons other than the pursuit of justice. Not just for the Plaintiff, but especially for the Defendant being accused and with the most skin in this elaborate scam.