

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 19-396

---

Judge:

Complainants:

---

**ORDER**

May 12, 2020

The Complainants alleged a superior court commissioner engaged in ex parte communication, did not afford one complainant the right to be heard, and was biased against them.

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 Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 12, 2020.

Comp

2019-396

Case no:  
Date:  
Time:  
Commissioner  
Address: :

Re: Commissioner malpractice complaint

On \_\_\_\_\_ and before Commissioner \_\_\_\_\_ regarding (Case no. \_\_\_\_\_ ) Hearing for an Order of Protection filed on \_\_\_\_\_ , against \_\_\_\_\_ whom I have \_\_\_\_\_ children in common with.

Commissioner \_\_\_\_\_ conducted himself in a very bias and unethical manner. To begin with, the defendant was allowed to present his argument without me being in the courtroom. The hearing was scheduled to start at \_\_\_\_\_ but I was not allowed in until approximately \_\_\_\_\_ For \_\_\_\_\_ I was not allowed to fairly defend my petition while \_\_\_\_\_ and the court communicated.

Commissioner \_\_\_\_\_ did not allow me to present evidence in supporting my case and also denied my witness to present testimony immediately removing him from the courtroom on the grounds that “ \_\_\_\_\_ ”

Commissioner \_\_\_\_\_ without hearing my case immediately ruled that “ \_\_\_\_\_ ”

Commissioner \_\_\_\_\_ went further stating on the record that “ \_\_\_\_\_ ”

The commissioners responses to my complaint before the court are concerning and inappropriate because according to A.R.S 13-2601, it lists the following:

- Harassment 13-2921
- Interfering with judicial proceedings 13-2810
- Threatening and intimidation 13-1202
- Child abuse 13-2623

as offenses which constitute an act or acts of domestic violence. And furthermore the definition of harassment under A.R.S. 13-2921 subsection 5, states:

- On more than one occasion makes a false report to a law enforcement, credit or social service agency.

The exact opposite of what commissioner \_\_\_\_\_ told me were not acts of domestic violence before throwing out my case. I've included to this complaint my petition for an order of protection, case no. \_\_\_\_\_ which demonstrates that the \_\_\_\_\_ listed offenses outlined in this complaint that constitute an act or acts of domestic violence in the state of Arizona are the same listed offenses within my petition for an order of protection presented before commissioner \_\_\_\_\_

I am requesting that the Commission on Judicial Conduct review the FTR recordings of the hearing held on \_\_\_\_\_ at \_\_\_\_\_ before Commissioner \_\_\_\_\_. The commissioner committed malpractice in his handling of my case either because of his own personal bias or lack of understanding and knowledge of the A.R.S. statues which apply to domestic violence. Both are concerning because the power and authority he holds in protecting the public. For the commissioner to throw out my petition on the grounds that “\_\_\_\_\_” is troubling conduct from a commissioner that should know thoroughly the laws in which he works around. I was denied a fundamental right by not being allowed to fairly present my case and being denied the opportunity to present my witness testimony. Also, the \_\_\_\_\_ dialogue in the absence of my presence between the commissioner and the defendant is inappropriate conduct and now raises question as to whether the communication had anything to do with the bias conduct displayed by the commissioner . Furthermore, the commissioner allowed the defendant to display intimidating behavior towards me throughout my time in his court. The very reason he should be standing to protect against.

The relief I am seeking is that my case be reset and I be allowed a fair opportunity to present my case free of any bias. The grounds on which my case was dismissed are clearly wrong and therefore should be corrected and presented before a new commissioner free of any prejudice.

Sincerely,

Cell: