

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-037

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Judge:

Complainant:

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**ORDER**

April 24, 2020

The Complainant alleged a superior court judge issued improper rulings in a condemnation proceeding that deprived her of her property.

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 Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 24, 2020.

Dear Commission on Judicial Conduct,

I own property in \_\_\_\_\_ that has been wrongly condemned behind my back by \_\_\_\_\_ who was fully informed about the gravity of her ruling that most probably is a violation of Arizona law. I am filing this complaint against \_\_\_\_\_ for taking private property from me as the result of a lawsuit against another person. I am extremely disturbed at \_\_\_\_\_ behavior as she did *not* make this ruling in error. The following documents will show that \_\_\_\_\_ *knew* that the City of \_\_\_\_\_ had sued the wrong party, \_\_\_\_\_ . And yet \_\_\_\_\_ failed to have the City engage with the correct property owner (me) of the property she condemned for the City. (While it is not part of this complaint, it is worthy to note that the City of \_\_\_\_\_ also knew that they had sued the wrong party, and yet did nothing to correct their mistake which resulted in the wrongful taking of my property.)

In addition, \_\_\_\_\_ also *knew* that I was/am the actual owner of the property that she condemned. She was given a copy of the deed to my property which clearly states that I have owned this property since \_\_\_\_\_. Instead, with full knowledge that she was taking someone else's private property that was not involved in this lawsuit, \_\_\_\_\_ condemned my property - behind my back and without my knowledge - to allow the City \_\_\_\_\_ to build a large concrete drainage ditch on my property. Unfortunately, this construction will start in a few weeks.

A \_\_\_\_\_ lawsuit for eminent domain was erroneously filed by the \_\_\_\_\_ against Defendant \_\_\_\_\_. The City wrongly assumed that he owned my property. I am not and never was a part of this lawsuit in any way and yet my property was condemned by \_\_\_\_\_. Ignoring a mountain of evidence that I am the property owner, *not* \_\_\_\_\_ or his Trust, including a copy of my deed, \_\_\_\_\_ made a Final Order of Condemnation against my property on \_\_\_\_\_. I am livid at this injustice.

I have attached several court documents that [redacted] received and ignored. They show, over and over again, that [redacted] the [redacted] City Council and the Mayor, and two City of [redacted] attorneys that he did not own the property that the City was suing him over. Judge [redacted] and everyone else ignored him.

Judge [redacted] abused her judicial authority by taking my private property based upon a lawsuit *against another person*. I had nothing to do with this lawsuit. And, as the enclosed documents show, she did so *deliberately* and with *full knowledge* of what she was doing. Judge [redacted] ruling against [redacted] should *not* have encumbered my property with condemnation. In essence, she used her authority to steal my land without any notification or due process whatsoever. I am deeply disturbed by [redacted] behavior and hope that this Commission will hold her accountable for her actions. I want my private property back and a message sent to her and others in the future who may try something similar, that Judges are not above the law, but rather their role is to enforce the law.

Common sense dictates that a [redacted] Court Judge should *not be allowed to condemn the property of a person who had nothing to do with a lawsuit* – and a lawsuit that was mistakenly filed against another person to boot. And yet, even though [redacted] had full knowledge of the facts that the City of [redacted] had sued the wrong Defendant and the wrong property owner, this is exactly what she did.

The Table of Contents for my attachments are below. I have highlighted in yellow the repeated points that [redacted] made - over a period of months - showing Judge [redacted] and others that he did *not* own the property (my property) that he was being sued over, and that was ultimately condemned by Judge [redacted] at my expense. Included in these documents are proof that [redacted] was given a copy of the deed for my

property showing that I was/am the owner of the property she wrongfully condemned, before her Final Order of Condemnation of my property.

**Table of Contents for the Attachments**

**Pages 1-13**

Complaint from the City c against the wrong Defendant, The City sued under the false assumption that he and/or his owned my property. I was never a party in this lawsuit. Both . and the City knew that neither nor his Trust owned my property that was the basis for their eminent domain lawsuit against him. and the City also knew that I was the property owner. took my property anyway.

**Pages 14-15**

Application for Eminent Domain Immediate Possession against the wrong Defendant - for my property.

**Page 16**

Order Denying Motion to Set Aside Default Judgment by repeatedly told and the City of that he was *not* the property owner that was the basis of the City's eminent domain condemnation lawsuit against him.

**Pages 17-18**

Final Order of Condemnation against my property in a ruling against the wrong Defendant - - in a lawsuit that I had nothing to do with.

**Pages 19-32**

The following pages (19-32) are highlighted in yellow to illustrate many attempts to show the Plaintiff, and others that I not own

the property (my property) that was the basis for their lawsuit against him. This evidence also included an Affidavit by \_\_\_\_\_ stating that he was not the owner of the property in the City's suit \_\_\_\_\_ knew that \_\_\_\_\_ was the wrong Defendant and did not own the property (my property) in the City's eminent domain lawsuit against him but ignored this evidence and condemned my property anyway. (Note: Only the pages were \_\_\_\_\_ stated that he did not own my property are included.)

### **Pages 33-36**

\_\_\_\_\_ : My SECOND Notice to Cease and Desist sent certified to the City that included a copy of the deed for my property showing me as the owner since \_\_\_\_\_ *included* this deed in his last Motion to Judge \_\_\_\_\_ to again show her that he was not the property owner \_\_\_\_\_ denied his Motion \_\_\_\_\_ was given a legal deed showing that she was taking private property from a person that was not involved in this lawsuit, but she did it anyway. The City of \_\_\_\_\_ never responded to my letter.

### **Pages 37-41**

Similar to pages 19-32, this is : \_\_\_\_\_ letter that \_\_\_\_\_ read to Judge \_\_\_\_\_ in a Hearing for Default court session describing the numerous times that he told \_\_\_\_\_ the Plaintiff, and others that he did not own the Subject Property (my property) that they were suing him over (these many claims are highlighted in yellow.) \_\_\_\_\_ - once again - *knew* that she was condemning my property when I had nothing to do with the City's lawsuit against \_\_\_\_\_

### **Page 42**

\_\_\_\_\_ My FIRST Notice to Cease and Desist sent certified to the City of \_\_\_\_\_ stating that the Plaintiff had wrongfully condemned my property, and that they had sued the wrong Defendant \_\_\_\_\_ brought this letter to Judge \_\_\_\_\_ attention in \_\_\_\_\_ Hearing for Default. \_\_\_\_\_ added

my Cease and Desist letter to the record but ignored this evidence and took my property anyway. The City never responded to my letter.

To summarize, this evidence shows that *\_\_\_\_\_* knew she was taking private property from a person who had no involvement in a lawsuit that was also wrongly filed against another person. *\_\_\_\_\_* who knew that the Plaintiff had sued the wrong party – also apparently made no attempt to tell the *\_\_\_\_\_* that they had sued the wrong Defendant. Instead, *\_\_\_\_\_* - knowingly and willingly – abused her power and ruled against the wrong Defendant to take *my* property. *I had nothing to do with this lawsuit and \_\_\_\_\_ was aware of this fact.* At the very least *\_\_\_\_\_* should not have knowingly condemned my property when she ruled against the Defendant

*\_\_\_\_\_* ruling against another Defendant will now allow City bulldozers to descend upon my property within a matter of weeks. Although I understand that the Commission cannot reverse a court order, I am hopeful that they can help in some way to right this wrong, and that *\_\_\_\_\_* will not be allowed to knowingly take mine or any other person's property behind their backs and engage in this type of behavior anymore.

Sincerely,

**THE COMMISSION'S POLICY IS  
TO POST ONLY THE FIRST FIVE  
PAGES OF ANY DISMISSED  
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE  
REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**