

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-039

Judge:

Complainant:

ORDER

May 21, 2020

The Complainant alleged a superior court judge issued erroneous and biased rulings and did not permit him to be heard in a family court matter.

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 Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 21, 2020.

CONFIDENTIAL

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

COMPLAINT AGAINST A JUDGE**Name:****Judge's Name:**

First, I want to thank you for the opportunity to have a voice in this matter, as I was not granted one in court. Although I am totally innocent, I had my rights as an and loving silenced without an opportunity to be heard and with no credible evidence to justify the judge's action(s). A huge injustice has been done, and right now I don't know what can be done other than wright this letter of complaint.

My name is and I am not a party now nor have I ever been a party to the lawsuit between and I am a member of the public and the of the minor children and the subject of this case. is now years old and

My complaint is against Judge for her conduct in areas. The areas in my opinion are as follows: (1) Bias; (2) Lack of Due Process by not allowing me to be heard and I believe a good possibility of (3) Unclean Hands. In my opinion a grave injustice has been done by Judge and the Arizona Commission on Judicial Conduct and public need to be made aware of the unfairness she displayed in the case of

In my opinion, the motive behind and my former wife who divorced me in is vindictiveness and the fact Judge sided from the very beginning with may want to write a separate complaint against Judge because of the way she was treated though out the process of the recent custody battle.

On was granted temporary custody of and even though their rater had a history of being arrested and convicted of a drug charge, was addicted to drugs in and refused to take Judge court ordered drug test ordered on in this case. Judge appeared to overlook these facts in granting temporary custody to

It should be pointed out that paid for attorney and went against her own daughter in this case. In my opinion and had the evidence been heard it would have shown that a fraud was brought on this court, by my former wife who is mother, along with Judge in my opinion, because of her bias allowed the fraud to fester, and for me not to be heard in this case.

I have had an ongoing loving active grandparent relationship with my grandchildren and since their birth. On this was suddenly and without cause taken away from me by Judge and I was forbidden to see my grandchildren from until This was in my opinion, a strong abuse of power by Judge Prior to I had no restrictions placed on me as a grandparent. Today as a result of the way the hearings were conducted and Judge bias and refusal to allow me due process today I have supervised visitation with my grandchildren. As stated, prior to this case of which I was not a party and was not heard I had no restrictions as a grandparent of is and who is

Please understand **today there is no alleged victim accusing me of ever sexually abusing them, and no reason I should have any restrictions with my grandchildren.** There is no one, but yet Judge _____ made a ruling against me without any due process. False allegations instigated by my former wife in the past were thoroughly investigated by _____ and the police, and of course no criminal act was ever found. I have never been arrested for any crime. The prior allegations are unfounded and were investigated by legal authorities and court appointed psychologists decades ago.

I am now and have always been a law abiding citizen and very active in many charitable organizations and in the business community. Judge _____ did not even consider the matter before this court had been investigated decades ago with no substantiation nor did she seem to care that I am a good law abiding citizen and have been a good father and grandfather.

Today _____ later and based on no accusations by anyone that I ever sexually abused any alleged victim as stated, I now must have supervision when I am around my grandchildren and _____. This is very unjust and as you will see in this complaint, and as stated, I was denied due process. Judge _____ was petitioned to allow me to be enjoined in this stated case, so I could be heard but because of her bias she refused the petition and denied me due process. Judge _____ made a decision with no credible evidence denying me access to my grandchildren for _____ and now I have a stipulation for restricted visitation.

In fact, on _____ under oath testified that as a child her mother and grandmother coerced her to falsely accuse me, but the allegations from many years ago were not true. These false allegations were all investigated by the police and child protective services over _____ years ago. No one on _____ when I was separated needlessly from my grandchildren testified that I had sexually abused them or done anything improper. As stated, the only alleged victim that testified on _____ was _____ and she recanted any sexual abuse as a child.

In _____ was diagnosed by a forensic psychologist of creating parental alienation syndrome against my children _____ and _____ towards me. This fact was not even considered by Judge _____. In my opinion _____ paid a heavy price in this case for her testimony in front of Judge _____ because _____ testified, she was never abused by me. The decision by Judge _____ to put _____ on supervised visitation and prohibit me from seeing my grandchildren _____ and _____ on _____ set the tone for the way in my opinion that _____ and I was mistreated throughout the next _____ months, and led to me having a stipulation placed on me for supervision while around my grandchildren. A totally unnecessary stipulation and _____ was forced to allow because of the way she had been framed as a mother largely due in my opinion by the way Judge _____ had run this trial through bias.

_____ wants this stipulation taken off. In addition, _____ knows how I have helped him and the family through many struggles over the years. I had over the past few years _____ of dollars of cancelled checks that were ran through _____ account that I prepared to enter as evidence but was never given a voice in this case. This is not including the many times I helped _____ and the family with food and clothing over the years. Please keep in mind that _____ attorney that came against _____ in this case was paid for by _____ who is _____ mother. In my opinion Judge _____ allowed her bias to overshadow her ability to decide this case fairly that resulted in much needless emotional distress for _____ and I and in my opinion led to an unjust unfavorable unconstitutional stipulation being put on me that also effects _____ and the children's lives.

The only piece of {so called} evidence that and considered by Judge [redacted] was from [redacted] attorney presented on [redacted] an allegation from a counseling center named [redacted] (no relation to [redacted] Hospital) that went out of business in [redacted] because of [redacted] complaints with the Board of Behavioral Health, having the owner certification from the Arizona Behavioral Health hearings first put on probation then after another complaint and hearing his certification was revoked by the Arizona Board of Behavioral Health, and at least [redacted] lawsuits pertaining to false accusations brought by former patients and parents for creating false memories that were settled out of court. None of the evidence I am presenting was ever considered and I had no voice and no way to bring in the multiple pieces of evidence.

The {so called} counselor from [redacted] who made the allegation against me in [redacted] was [redacted] an uncredentialed therapist with no degree in counseling and an alleged victim of sexual abuse by her father. She had come to [redacted] as an alleged victim and began counseling and charging money. The allegation by [redacted] was to an incident that I will prove by evidence was false dating back to an incident in [redacted] that was fully investigated by [redacted] the Department and [redacted] who made a video of the children [redacted] and [redacted] stating in [redacted] nothing happened.

I have enclosed evidence (the police report and DVD of [redacted] with my daughters) to back up my statement that I did not sexually abuse my daughters [redacted] or [redacted]. This complaint will show [redacted] in [redacted] after hearing from me that it was for the same allegation as the one presented in [redacted] and me showing them the evidence decided since it had already been thoroughly investigated to not report it to the police. Let me emphatically state I have never sexually abused anyone.

As stated, Judge [redacted] showed bias in her decision to put a halt for me to see my grandchildren with no credible evidence. I was not a party to this hearing, and not allowed to be heard even though I have had a loving relationship with my grandchildren [redacted] and [redacted] since their birth.

My story that I was not able to tell because of Judge [redacted] prejudice against me begins in [redacted]. My former wife now [redacted] and I were involved in a hotly contested divorce and custody battle. I had very little money and rented a place. My only roommate in [redacted] was [redacted] not [redacted] who [redacted] accused in their complaint to [redacted] in [redacted]. He was a very good single father with [redacted] daughters named [redacted] and [redacted] was a hard working mechanic who was an active volunteer with the [redacted] Department.

[redacted] weekend while going through the divorce in [redacted] and [redacted] (my children with [redacted] came to the house to spend the weekend. [redacted] daughters and my [redacted] daughters were all spending the night sleeping in the living room. I think all of you who are reading this can only imagine the fun [redacted] girls were having all sleeping in the same room. There was loud laughing all night long.

I finally separated the girls and had my daughters [redacted] and [redacted] come in my room to sleep around [redacted] in the morning. [redacted] was [redacted] and [redacted] was [redacted] that evening slept in my bed with me (the tape shows I kept clothes on), and [redacted] slept on the floor in a very small sleeping bag. The children after visiting me for the weekend went home. (The Police Report, DVD taken by [redacted] I have enclosed taken [redacted] months later along with the psychologists report identifying [redacted] deception in [redacted] regarding this night in [redacted] further substantiates and proves my innocence).

Within week the Sheriff's office showed up where I was working with a restraining order telling me I was to no longer to have contact with my children because while at my house had told her mother and maternal grandmother that the night she slept in my room she had noticed some "white sticky substance" around her vaginal area and that she had showed in the morning then washed it off. or never shared this information with me.

nor knew the origin of the "white sticky substance". I was also ordered to go and talk to the Department within a given time frame. The police had been brought into the situation because (my former wife) had first gone to then referred the case to the Department. I am sure I my character was framed by in the worst possible way to The children and were interviewed by the Police along with me.

In the children and cleared me of any wrongdoing. I have enclosed a copy of the Report. Unfortunately Judge before making her ruling did not appear to be interested that the allegations against me had all been investigated by legal authorities, and several psychologists including forensic psychologists and along with and the report from my personal psychologist None of them believed I was guilty of the accusations. I realize these reports go back decades but as stated, for your confirmation I have included several of their reports along with the Police Department Report for your review.

In addition, to the police report dated in I have included for your review a DVD Dr. made of my daughters and wherein they did not know anything about the "white sticky substance" and knew I had never inappropriately touched them. Although at the time no one seemed to know what this substance was, later in this report I will present evidence that brought a fraud, because she knew the origin of the white sticky substance and did not bring it forth, but rather tried to make legal authorities, the court, and court appointed psychologists decades ago believe it came from myself or a roommate while the children were in my room rather than the true origin.

Judge never gave me an opportunity to present this evidence, but rather just assumed I was guilty without due process and prohibited me from seeing my grandchildren for months and now only with supervision because of false accusations decades ago. Judge was petitioned to allow me to enjoin the case, but she refused. It appears to me it was just easier for Judge to not hear the facts of the case and cut off a loving grandfather from his grandchildren.

In I was awarded shared custody of and much to the displeasure of My girls never slept in my bedroom again, after I was unjustly separated from them in From that day forward my daughters always had their own bedroom.

In my opinion tried to find ways to gain full custody. A disagreement we had just prior to me having a roommate in was wanted to be paddled at a private school (corporal punishment). I strongly disagreed and threatened to take me back to court so she could have full custody.

In I owned a mobile home and had a roommate named I had needed a roommate to help with expenses and had gone to where attended church and got name off the church bulletin board. became my roommate. lived with me a short period of time, before he stated he was going to move out.

On [redacted] afternoon just before [redacted] moved out [redacted] and [redacted] asked me if I would take them swimming at the community pool in the mobile home park. I was not feeling well, and I stated no, and [redacted] volunteered to take [redacted] and [redacted]. The girls showed no reluctance and begged me to let [redacted] take them to the pool. I agreed thinking there would be plenty of people at the pool and in my mind at the time there was not a reason to say no. The [redacted] of them went to the community mobile home swimming pool, and I stayed back at the mobile home.

The children returned from the pool and I did not notice any problem with the children's demeanor. On [redacted] of that week I received a call from [redacted] and [redacted] maternal grandmother [redacted] stating while swimming through the legs of [redacted] had touched the vaginal area of [redacted] had moved out on [redacted]. On [redacted] night of the same week after returning from church I heard a knock on the door and opened it up to police officers, who wanted to talk to [redacted]. I explained to them that [redacted] had moved out and I did not know where he had moved. I was told they wanted to talk to him and if I heard anything of where they could contact him to let them know.

During the following days I heard from [redacted] as he had forgot an item when he moved out and wanted to know when he could come by to pick it up. I gave him a time but did not tell him the police were looking for him because they wanted to question him about the pool incident. I did however alert my neighbor to notify the police when he arrived at my home because they wanted to talk to him. The neighbor did as I requested, and the police stopped him after leaving my home. The police arrested [redacted] was also charged with touching [redacted] breast (she was [redacted] at the time). This charged was dropped. I was asked to testify by [redacted] attorney rather than be subpoenaed in reference to the false allegations made against me in [redacted] and the threat of being taken back to court prior to the accusations against [redacted].

I certainly could not testify to any abuse as I was not aware of any abuse and was not at the swimming pool when the alleged incident happened with [redacted]. As it turned out [redacted] took a plea agreement to aggravated assault with no jail time. The judge questioned [redacted] attorney as to why he didn't take the case to trial {because it was a weak case}. I was not involved in any way with the allegations against [redacted]. It should be noted that [redacted] was told by her mother and/or grandmother that I did not believe her about the swimming pool incident when in fact I did not have enough information to know what to believe.

In [redacted] after taking [redacted] and [redacted] to several counselors and counselor shopping my former wife [redacted] found a counseling center named [redacted] (no relation to [redacted] stated in her diary (that I recently saw) how excited she was to have found this facility. [redacted] was [redacted] counselor at [redacted] had no credentials or degree for counseling. [redacted] had come to [redacted] for counseling because of alleged sexual abuse as a child by her father and the owner of the facility [redacted] counseled her and taught her how to be a counselor for profit at [redacted].

[redacted] an uncredentialed, non-degreed person used unorthodox methods including repressed memory modalities (with [redacted] mother [redacted] in the room) on [redacted] to go back to [redacted] and relive spending the night in my room. At [redacted] to retrieve {so called} repressed memories the {so called} [redacted] used modalities such as hypnosis, the casting out of demons, plus other questionable unscientific methods. I have enclosed some material dating back to the [redacted] and have additional available material about this {so called} counseling center that I will provide upon request.

**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.**