

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-048

Judge:

Complainant:

ORDER

May 28, 2020

The Complainant alleged that a superior court commissioner improperly issued and upheld an order of protection 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 Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 28, 2020.

CONFIDENTIAL

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

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2020-048

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.

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To whom it may concern,

My name is [redacted] This grievance is addressed to you with sincere request to investigate an Order of Protection authorization served me and inflicted with great financial and psychological damage. The named plaintiffs that were tied to the Orders of Protection had successfully orchestrated a criminal plot that involved [redacted] Court Judge [redacted] in a strategy that depended on the authorization of the courts stemming from the well-executed abduction of my [redacted] afflicted mother I was responsible for in providing care. My care was legally recognized in my Powers of Attorney and my Parents' Advanced Directives that were never asked for by the courts.

I had moved my parents to [redacted] from [redacted] in their concern to escape family discord in [redacted] as well as harsh winters no longer tolerated. They initially moved from [redacted] to [redacted] under years of my care in [redacted] against my advice for what I knew of the familial problems in [redacted] In addition, they wanted to release me of increased care required in their aging years and convinced they would find support with family in [redacted] However realizing their mistake within a year of their move having ordered the central perpetrator named in this report removed from their home due to abusive behavior as stated in personal documents available.

I was the only POA left having held that title from the beginning of being appointed many years prior. Of my parents' [redacted] children, I was the only guardianship appointed nominee and sole heir of their estate (both documents available in court records) in compensation for previous and continued care of both parents and [redacted] years of working for them in construction. None were asked for in the failures of the court of [redacted] judges involved. The estate was the obvious key motive for the abduction plot with underlying resentment and vengeance as well in their being removed from further contact with my parents by my father's orders.

My father tragically passed away within a year after my parents' return to [redacted] The plot could not be executed until his passing due to the estrangement my parents had in blocking not only the central perpetrator but an aunt and her daughter as well from further direct involvement which created the fomenting resentment to all involved in the kid-napping. The kid-napping occurred [redacted] days after my father's funeral in which an illegal guardianship of my mother was awarded to the central perpetrator in this case by an incompetent probate judge in [redacted] A couple of months passed when I received an embellished letter meant to look official but written by the one having been awarded the illegal guardianship informing me that I was relieved of my duties as my mother's POA and caregiver. The letter notified me that my further care of my mother would no longer be required in illegally usurping my authority (letter available). The central perpetrator in this plot returned to [redacted] several months after the kid-napping and petitioned [redacted] Court Judge [redacted] for an Order of Protection against me that named my [redacted] s afflicted mother as a plaintiff as well. The colluding aunt and daughter both residence of [redacted] also involved in the kid-napping requested Judge [redacted] for Orders of Protection against me at the same time.

Judge _____ authorized the orders to be served with no discernment of this crime taking place which resulted in my being followed from my home by a _____ County sheriff officer who confronted me in my doctor's parking lot at the time of my doctor's appointment. He conveyed that many times the plaintiffs are the instigators and that I could challenge the orders. He stated I could not return to my home without law enforcement or I would be arrested for trespassing. He instructed me that I would be given a window of _____ minutes to remove my property from our home. Much of the items in the home were mine. It was mandated that I could no longer have contact with my mother or I would be arrested for that infraction as well.

I obliged and returned to our home with help to remove my property. It was discovered the locks had been changed preventing me from entering even to rescue my newly acquired dog until _____ days later with official mediation. At the point I was able to enter I found the theft of approximately _____ in cash that the perpetrator / illegal guardian, _____ of _____ had stolen and can be testified to in first hand-witness by another sibling, _____ in communication with the perpetrator about the amount stolen. I later found critical legal documents against yet another sibling involved in the kid-napping that had been tampered with and removed. Some of the documents were correspondence with a prosecutor in _____ regarding a significant theft amounting in the thousands from my parents' account. Approximately _____ in mine and my father's tools were taken as well as valuable art work I created and witnessed the process before my eyes but could do nothing because of officer protection instituted by the misguided Orders of Protection and illegal guardianship imposed upon me with neither judge involved understanding the legal and moral nightmare they created being embedded with criminals.

I was subsequently left homeless living out of my truck for _____ months before I was helped with community housing. I fought the Orders of Protection in Judge _____ court in hearing false testimony against me in an effort to discredit me and slander my character. A letter was received by Judge _____ written by one of the siblings directly involved as an accomplice to the illegal guardianship in an effort to sway the judge in false testimony with sophomoric and ridiculously ungrounded accusations. The letter was allowed by Judge _____ to be entered and read. The Order of protection placed by the colluding aunt and daughter was removed but the Order of Protection placed by the primary perpetrator was upheld by Judge _____ which would prevent any further contact with my mother. I was also mandated to sign the _____ restricting me from purchase of weapons upheld to this day.

The illegal guardianship was fought and overturned by legal support in _____ with my attorney's knowledge that the Probate judge did "not understand the law and is basically lazy". However the key perpetrator had forced our home into foreclosure by advice of the _____ Probate Judge responsible for the illegal guardianship requiring the perpetrator to relinquish hold on the _____ home and knowing it would be impossible to return my mother without a home for her. The probate judge also refusing to release funds from my mother's account to afford my guardianship costs even though I was still my mother's POA and later discovered I could order the judge to do so. It was for that reason as well as contributing belligerent, unprofessional conduct of a _____ elder law attorney that did not understand nor want to be involved in this ' _____ as he stated that made it impossible for me to correct these egregious errors of the courts.

Even though the guardianship was overturned, I have never had my stolen property returned nor have I ever seen my mother since that time given the trauma endured but only to learn through court records that she knew she had been kid-napped in her great distress trying to get back to me and having fought the guardianship stating "This is not necessary" but with her Constitutional rights having been stripped away.

I have written certified letters to both judges with each attempt being ignored. I have requested friend and former mayor, to appeal to Judge but she has ignored his efforts for communication as well. I conveyed to Judge that I need to forgive but her silence suggest she is either sensing guilt or is jaded to such requests in the judicial freedom she has exercised.

A book about this crime has been written that incriminates all involved with supportive evidentiary material in a category document. Mayor and other distinguished scholars have read the rough draft. Judge has been informed that the book has been written in a certified letter but she remains recalcitrant to this horrific crime and her participation in it.

Former Mayor has recommended this complaint be directed to your office believing you will take this matter seriously with the appropriate action necessary in addressing this sensitive issue on moral and judicial grounds given Judge conduct. Questionable conduct both before and after in the irreparable damage caused by the Orders of Protection under her authorization in this crime. I need to heal from this crisis of failed courts and she is a significant player to that healing but she has refused to face me.

I will appreciate your effort and moral conviction to right this injustice in challenging Judge with great concern of her decision-making ability and moral accountability to innocent lives that have been destroyed by her blinded and misguided rulings. I trust that corrective action will be taken and that I will hear from you in an appropriate time.

Respectfully,