

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-146

Judge:

Complainant:

ORDER

July 23, 2020

The Complainant alleged a superior court commissioner made erroneous rulings in a family law 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).

Copies of this order were distributed to all appropriate persons on July 23, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020 - 146

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.

COMPLAINT:

Eviction of tenant with day's notice of who is on SS Disability, during Governor decreed stay at home order in contravention of state and federal Fair Housing Acts as Judge failed to consider my being on SS Disability as required by state and federal laws. #2

Eviction of tenant while in possession of Protective Order issued by Court. #1

Racial content? disabled (by husband) no established physical disabilities.

Judge consistently allowed to use the court system as a tool to further abuse by allowing irrelevant testimony causing further emotional and financial harm taking a simple no-fault dissolution of marriage to take from until in spite of her being aware to be a vexatious litigant prone to hurt people using the court system as a tool for inflicting pain. There are state laws against this. Judge allowed it to continue in spite of protests and law quotations from my Attny

Judge was made aware that blackmailed my attorney in writing, presented to the court, Judge did not question as to the issue. Item#3

blackmailed my friend, a potential witness, tainting any testimony from her #4.

Judge consistently accepted false statements as fact, even though Mr is classified by the court as a vexatious litigant. alleged laundered assets. in spite of no evidence and was fully prepared to present banking evidence to the contrary but was never asked to do so.

Mr alleged in testimony met while working with her at the Hospital last time she worked there). testified he met on when she came into his store as a customer. She seemed to him very emotionally distraught, as if a kitten being kicked by a jackboot. He befriended her then, realizing she needed physical and emotional protection. Judge did not admonish for what was an obvious lie. (many of these instances in the trial i.e. sequential photographs of personal possessions and a box. The box. and the box. " denied being there for picture Judge kept accepting his outrageous statements in spite of this being a common occurrence during the trial.

consistently gave falsehoods in court, witnessed by judge but was never called for these acts.

witness gave false testimony, (stated falsely his name as and stated under questioning that he was never arrested, which was false, arrested in for [unclear] Judge ignored the issue.

_Date

ARIZONA SUPERIOR COURT,

HON

CASE NO.

COURT REPORTER:

DATE:

Courtroom -

Petitioner

VS.

Respondent

RULING

IN CHAMBERS UNDER ADVISEMENT RULING (TRIAL)/DECREE OF DISSOLUTION OF MARRIAGE

The Evidentiary Hearing in this matter was conducted over the course of _____ days:
During the proceedings, the Court heard from the parties and several witnesses. The Court has since considered the evidence, including the demeanor of the witnesses, reviewed the exhibits as well as the case history, and considered the parties' arguments.

After significant deliberation, the Court makes the following findings and enters the following orders:

THE COURT FINDS as follows:

- A. The parties are Petitioner/Wife _____ and _____ Wife _____ years old, having been born in _____ and Husband is _____ years old, having been born in _____ of _____ Husband's Petition, filed _____
- B. At the time this action was commenced at least one of the parties was domiciled in the State of Arizona and that said domicile had been maintained for at least _____ days prior to the filing of the Petition for Dissolution of Marriage.
- C. The conciliation provisions of A.R.S. § 25-381.09 have either been met or do not apply.
- D. The parties were married on _____ Wife's Petition, filed _____ By operation of law (A.R.S. §25-211), the marital community is deemed to have terminated on _____ when Husband had Wife served with his Petition. Affidavit of Service, filed _____
- E. The marriage is irretrievably broken and there is no reasonable prospect for reconciliation.
- F. There are no minor children common to the parties.
- G. Wife is not pregnant.
- H. This was not a covenant marriage.
- I. To the extent that it has jurisdiction to do so, the court has considered, approved and made provision for the maintenance of each spouse and the division of property and debts.

Judicial Administrative Assistant

RULING

Page 17

Date:

Case No.:

Husband's Trial Testimony. Wife desires to retain the residence while acknowledging that she cannot afford refinance it, nor can she afford the monthly mortgage and related expenses without assistance from her friend Husband asks that the residence be sold so that he may receive his share of any equity, and have name removed from any mortgage or liens on the residence. On the first day of trial, the parties stipulated to using as the fair market value for the residence. ME, filed Trial Exhibit The principal balance on the mortgage was just over as of Trial Exhibit 124.

IT IS THEREFORE ORDERED that the marital residence located at will be listed for sale immediately. The appliances and fixtures (dishwasher, microwave, refrigerator, stove, washer and dryer, AC unit, ceiling fans, etc.) will remain with the residence for the sale.

Both parties will cooperate in execution of any and all documents required in connection with the sale. The parties will comply with any reasonable requests by the listing agent regarding the listing price and repairs necessary to ready the property for sale. If the parties are unable to agree on an agent to list the property on or before , they will each submit names to the Court and the Court will choose from the names provided; such lists to be filed on or before .

* Pending sale, Husband is granted exclusive use and possession of the marital residence effective on until the time of sale, subject to his obligation to pay the monthly mortgage, homeowner's association fees, and utilities associated with the residence (all beginning with the payments due , and to maintain the property in reasonable condition and to make the residence ready for sale.

* Wife must vacate the marital residence within approximately days of the date of this Ruling, or before The Court finds that Wife is likely not to cooperate in assuring that the property is timely ready for sale, and she has failed to properly maintain the residence during her sole occupancy of the home. Compare Trial Exhibit Aj-1 and Aj-2 and Aj-2d (Husband's photos taken between to Trial Exhibit Aj-2b (Husband's photos taken during court-ordered inspection on . The Court believes: Wife can readily locate alternate housing as her friend, testified that he owns property in and he previously suggested that she move-in to live with him. Trial Testimony,

The Court further finds that Wife is the person less likely to timely comply with Court orders given failure to timely comply with prior orders regarding inspection of the residence and reinstating Husband on medical insurance. Despite numerous admonitions and Court orders beginning in Wife did not take definitive action (in writing) to comply with the Court's orders regarding the medical insurance until Trial Exhibits 126, 127 and 129. More importantly, Wife delayed and/or intentionally interfered with the Court ordered home inspection between and ME, filed see also ME, filed (placing both parties on notice of the Court's intent to order the home inspection).

¹⁴ Nothing in this Ruling prevents Wife from purchasing the marital residence pursuant to the listing agreement, in the same fashion as any neutral third-party purchaser.

#2

Justice Court Record Display

Case Number: Case Status: Open

Assigned Judge: HON.

Defendant: DOB: Addr:

Attorney:

Current Balance:

[Payment Page](#)

Next Court Date: None Found

Citation:

Agency:

Date: Location:

Citation/Agency Case Number	Count	Violation/Description	DV	Charge Class	Disposition
	001: Filed)	M1	Appeal
	002: Filed			M1	Acquitted / Not guilty

Case Events:

Date	Time	Matter Type	Event	Result

Documents: (Available at Court House)

Document Type	Document Sub Type	Document Caption	File Date

DV conviction - Assault

**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.**