

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-179

Judges:

Complainant:

ORDER

September 24, 2020

The Complainant alleged that one superior court judge committed legal errors and issued biased rulings in a civil case and that another superior court judge was biased in his handling of a settlement conference.

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 Barbara Brown did not participate in the consideration of this matter.

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

2020-179

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.

We _____ are asking for a complete review of our case. Judge _____ rulings along with her appointee Judge _____ roll in the settlement conference. We believe the Judge _____ and Judge _____ committed legal errors and judicial misconduct multiple times in our case. We believe the results of our case was unfair, inequitable, unjustified, just plain wrong based upon what the current law is and the specific facts of the case and not following the rule of law. There is clear evidence of fraud, misrepresentation, or mis-conduct by the other party and cover up protection given by Judge _____ and Judge _____ We believe the judge's ruling was not a mistake, error or defect nor was it a harmless error. It was a decision that was made by reading the facts of the case and her ruling was not a partial ruling it was a full ruling. Judge _____ ask our attorney for all of the items including legal cost and fees. Even though she did not sign the final judgement Judge _____ ask our attorney to email her all of the request that would lead to final judgement. We had completed the motion for summary judgement hearing. This is on CD/transcript on the record. We believe the Judge _____ about face reversal was from public pressure not by the facts of law. We believe the Judge _____ acceptance of the motion to reconsider was not following the rule of law. We believe it was undermining the rules of the court, therefore an abuse of judicial discretion or a potentially arbitrary and capricious determination by Judge _____ in our case. If the motion for reconsideration would have been sent to the appeals court, we believe it would have shown specific errors of the facts of law under the proper rules of procedure. We believe Judge _____ following actions of fact finding was abuse of power. Judge _____ already had _____ years and a summary judgment ruling. We believe it was a direct attempt to find a reason to protect herself for her abuse of power it turned more into plaintiff's pastor and church character assassination. the defendants did not state any new facts that was not on the record. Finally, Judge _____ ordered a settlement conference and referred to Judge _____ who stated to our attorney _____ and church board that he was a close friend to Judge _____ they ride-shared together, talk about everything together, therefore it would be very difficult to get a fair outcome (again abuse of power by Judge _____ Judge _____ also stated that there was not enough information in the first deed that was given to us by the defendant. Judge _____ also stated that there was lots that was contained in the deed that had been willed of _____ other persons. Judge _____ also stated that the property(land) and the mobile home was connected. At least these items that the defendant claimed in her right mind up to this date and even into the evidentiary hearing Judge _____ disagreed with the defendants virtual ruling against that argument. In actuality those are major key facts of law that favors the plaintiffs case and proves multiple count of fraud by the defendants. In summary If _____ ruled for the plaintiffs in logic she read _____ years of plaintiff's case and made a ruling for the plaintiff's any objection should have went to the appeal court. Even if one side wanted to object to part of a ruling it should have went to appeals court. _____ years following the rule of law with a hired attorney and _____ of legal fees this judge (Judge _____ and her abuse of power has legally and severely harmed the plaintiffs case allowing non-lawyers and lawyers who would not file their (NOA) notice of appearance, use civil and criminal tactics to force a decision that he is comfortable with. We are a nation of laws that we all should be governed by. Using your position as a judge with a gavel should be used with the rules and procedures of the court. I do not believe this is the venue for an appeal, however I do believe it is the perfect venue to bring out abuse of power from the judge. It is my hope that this complaint is thoroughly reviewed and that those involved with this review will find courage, honor and dignity to speak up for the powerless and their god given right. Thank You, God Bless

CONFIDENTIAL

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF

)	
)	
)	
Plaintiff,)	
v.)	CASE NO.
)	
et al,)	
)	
Defendants.)	

County Superior Court
Arizona

BEFORE THE HONORABLE
SUPERIOR COURT JUDGE

TRANSCRIPT RE:
MOTION FOR SUMMARY JUDGMENT

TRANSCRIPT PREPARED BY:

_____	_____
LLC	TRANSCRIPT

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A P P E A R A N C E S

On Behalf of the Plaintiff:

Esq.

On Behalf of Defendants and

Esq.

PROCEEDINGS

(Call to order of the Court)

THE COURT: Please be seated, everyone. Please be seated.

(Pause)

THE COURT: All right. This is _____ v. _____ and I think

All right. Please announce your presence starting with the plaintiff.

My name is _____ I'm here on behalf of the _____

THE COURT: And who is seated next to you, sir? This is _____ who is a _____ on the _____

THE COURT: Okay. How do you spell his last name? : It's _____ apostrophe, capital _____

THE COURT: Thank you, sir. And your name, sir?

Good morning, Your Honor. I'm _____ I am here representing _____ spelled _____

THE COURT: And is she seated next to you? And she's seated to my right.

THE COURT: Okay. Good afternoon.

**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.**