

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-253

Judge:

Complainant:

ORDER

December 11, 2020

The Complainant alleged a superior court commissioner improperly issued a protective order.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 11, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020-253

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.

Misconduct:

Rule 1.1 & 2.2 Judge Apparently Unaware Of The Supreme Court's Ban On Prior Restraint, but didn't mind issuing an ex parte petition for a member of her legal community, beclowning herself in the process

Judge [redacted] Granted An Unconstitutional Prior Restraint Order (ex parte IAH) to Block A Notable Writer's 1st Amendment Rights and Discovery

[redacted] (Plaintiff) managed to attain an unconstitutional IAH on a writer to force her to take down an article addressed to federal authorities from her blog. The [redacted] (Plaintiff) is also a legal adversary in a custody case with the writer and deliberately omitted these facts to Judge [redacted] who went ahead and granted the IAH without allowing the defendant the right to be heard. This allowed for a major constitutional violation to block a writer's free speech in an article covering a social issue of great public concern. Not a single fact was stated on the IAH petition and the [redacted] knew it was unconstitutional and didn't use her real birth date to pass the burden on Judge [redacted]

The article did not pose an imminent threat, danger, or financial loss to justify such an emergency action without granting the respondent a hearing to be present. This IAH was a clear 1st amendment violation on content; over contact, as the respondent hasn't physically seen the petitioner in [redacted] and all their custody proceedings have been telephonic. The Plaintiff is opposing counsel and the defendant is a self-representing litigant. [redacted] failed to mention that the defendant had been requesting materials and evidence for discovery for many months for which [redacted] failed to render and chose to use an IAH to obstruct. Petition was filed to serve an improper purpose using only false statements and not a single fact. According to the [redacted] IAHs are to ban future contact with petitioners, not to ban expression. In this injunction, it's nothing more than censorship since the writer and author is targeting third parties online via the World Wide Web as her audience for her article, not

The defendant [redacted] known to the public as "[redacted]", is a [redacted] and a [redacted] previously employed for [redacted] and has a penchant for [redacted] of [redacted]

On _____ a recent ruling in _____ stated its unconstitutional for any disparagement or courts to infringe on a person's 1st amendment rights to discuss and write about their divorce proceedings on social media. The court of appeals said the injunction was a “

_____” It said such restraints “_____” and that the injunction at issue was overbroad, because it prohibited all public speech regarding the (petitioner), including that which was “_____” Petitioner is well documented and cited online for her harsh and negligent role in the “_____” case, which is public source. Her photos are accessible via third party websites where the onus is on her, to keep photos private, and not upload them to sites such as _____ and other public websites with public domain disclosures.

Judge _____ with all her expertise in basic law 101, issued a prior restraint, which is completely unconstitutional. Further, it requested the defendant to remove ALL blogs pertaining to the petitioner. In other words, according to the _____ Harassment suits are to be moving forward. Judge _____ figured infringing on a writer's 1st amendment rights are the way to go, issuing a prior restraint, and further demanding respondent remove all postings off her blogs in reference to petitioner. This is a clear 1st amendment violation and she failed to realize bloggers today are the same as journalists. She also failed to realize respondent is a self respecting litigant in an ACTIVE divorce where the petitioner is

Even though, there was indeed a lot of dishonesty on the petitioner's end given the fact she hasn't come into contact with respondent, who has been requesting and opting for ALL hearings to be held telephonically, representing her own family law case pro se, due to covid19, and being _____ Petitioner, _____ also failed to knowingly mention that respondent has no vehicle and is practicing strict isolation measures due to _____ only offered perjured statements in her Petition and this has gravely injured the defendant in many ways.

Whereas, petitioner, _____ in the same case knows the respondent has been requesting disclosures, evidence, and passwords per court order from the petitioner, all which have been ignored, and further ignored with this IAH negligently implemented at the hands of Judge _____. The petitioner hasn't been able to provide respondent ANY evidence she has requested on her own divorce proceeding. Furthermore, the unlawful IAH has only allowed the unethical petitioner to dismiss and ignore all defendants discovery requests in her own family law proceeding. This Fraudulent IAH clearly benefited an unethical _____ who can claim harassment as she likes, at the aid and direction of judge _____. Clearly there is a conflict of interest between the judge and _____ that needs prompt attention or _____ will bring claims not just to Judge _____

_____ who is highly cited in _____ and even on the _____ website states, "_____." How is one to tell their story, their own divorce case, their own observations without mentioning all parties involved in their proceeding? Especially, when it comes to an unethical _____ who _____

_____ ; as criminals with zero evidence, when they are all well-educated, well respectable individuals with no criminal background?

Today, the petitioner is facing felony charges for aggravated harassment for bogus claims. She was charged before even having an opportunity to appeal the fraudulent IAH issued by a clearly incompetent judge. The police report states that the petitioner called police and stated the respondent's blogs "_____ " _____ hid the fact that the defendant is a writer and _____ in a case where _____ is _____ This needs to be fixed asap. Every month the defendant's article remains down is an infringement of her 1st Amendment.

This is clear judicial misconduct and it's transparent the judge is unfamiliar with the U.S Constitution and the Arizona Constitution. Where is the criminal activity in writing factual information? Where is the threat, the danger, or the harm ? A judge shall not infringe on a citizens constitutional rights, otherwise, she will be facing a lawsuit due to all the compounding damages.

**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.**