

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-311

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Judge:

Complainant:

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**ORDER**

February 10, 2021

The Complainant alleged a superior court commissioner improperly refused to allow a jury trial in a probate proceeding, improperly refused to honor the findings of a private jury, and improperly denied parents access to their child.

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 Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 10, 2021.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2020-311

**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.

See attached

2 Pages Narrative

1 Page Jury Verdict

1 Page Supporting Legal Authorities

2 Pages Juries in Guardianship Probate Court - Denied for no Reason

1 Page Rule 28.1 Rule of Probate Procedure - Juries - Denied for no Reason

This demonstrates that every remedy at the State level has been tried and " ", thus establishing Federal jurisdiction under Art 4 Sect 4 of the US Constitution - We are guaranteed a Republican form of Government by the Federal Government if the States fail to do so.

CJC Complaint -

Commissioner

Human Trafficking: is Exploiting Human Beings for Income.

Kidnapping: Anyone taken or detained against their will without Due Process.

The Adult Daughter – has been sentenced to life in prison without parole without any reasonable shred of Due Process. ABSOLUTE DESPOTISM.

¶1 Alleged Violation: Rule 81 Code of Judicial Conduct – Cannon 1.1 “The Judge Must Follow the Law” has been violated as follows. Please review and either affirm and provide appropriate sanctions – or – cite findings of fact and conclusions of law.

¶2 The adult daughter has high functioning autism and 9 hours of college credit. The Parents have asked the Court for authority protect for food allergies and medications. Instead the Court has by definition “kidnapped” and is exploiting the Adult Daughter. Daughter has been repeatedly sexually molested while in State “CARE”. Anyone taken against their will WITHOUT DUE PROCESS has by definition been “kidnapped”. Any statements by the Adult Daughter while under duress might understandably be contrary to the Sworn Affidavit on the Court Record.

¶3 The Court appointed Guardian has refused to allow Parents to see their daughter for almost a year. Daughter is prohibited from seeing her Family, or Friends, or go to Church. Appeals may only be examined as they are pled in the light most favorable.

¶4 Legal Authorities Narrative: See attached itemized page. The “Supremacy Clause” Art 6 § 2 = The Constitution is the Supreme Law of the Land and all Statutes and Rules and Judicial Orders must conform to it. Per Art 6 § 3 the Judge has sworn an oath to follow the Constitution. 14<sup>th</sup> Amendment § 3 Failure to follow the oath = forfeit the office, orders are void and unenforceable.

¶5 Since absolute power corrupts absolutely, the Founders put specific limits and checks and balances in the Constitution to prevent corruption and “Absolute Power”. See Federalist 83 ¶2, 3, 17 “The excellence of”. In ¶19 it explains that the specific manner of implementing Juries was purposefully left blank to give the States broad latitude, **BUT NOT PROHIBITION** as stated in ¶2 & ¶3. **“THAT WHICH IS NOT PROHIBITED BY LAW, WE ARE ALLOWED TO DO.”**

¶6 After this Family was effectively dissolved by Judicial Order and the Adult Daughter in fact sentenced to Life in Prison without Parole, the Parents asked for a Jury to make the final decision of such GRAVITY as required by the 7<sup>th</sup> Amendment, and AZ Statute Constitution Art 2 § 23, and Art 6 § 17 “INVIOLEATE”. State and Federal Rules of Civil Procedure #38 also “INVIOLEATE”.

¶7 It is true and we all agree that the Courts are NOT REQUIRED to FURNISH Juries in Civil Courts. Did the Founders intend, and then craft a Constitution with LIMITS on the Powers and Authorities of everyone, EXCEPT CIVIL TRIAL COURT JUDGES? Of course not. That would be non-sense. If a Jury is the LIMIT on the power of a Judge to kidnap people or engage in Human Trafficking, AND the Judge is not required to furnish the Jury, DOES THE RIGHT TO A JURY THEN DISAPPEAR? Of course not. That responsibility merely falls to “the People” as clearly stated in the 10<sup>th</sup> Amendment AND AFFIRMED BY SCOTUS in (2) noted case law – see attached legal authorities. **The 7<sup>th</sup> Amendment does not prohibit the People from furnishing their own Juries if the Civil Trial Court does not wish to do so.**

¶8 That which is not prohibited, is allowed. Federalist 83 ¶2 and ¶3. Following Court Refusal, Parents convened their own Jury and provided the Juries verdict to the Court. The Judge has ignored the Jury verdict as if he were King George, in violation of his oath.

¶9 In Federalist 51 Madison states “If all men were Angels, no Government would be necessary. If Angels governed Men. No controls on Government would be necessary. The GREAT DIFFICULTY lies in Men governing Men. How to give Government the power to govern, WHILE AT THE SAME TIME OBLIGING THE GOVERNMENT to CONTROL ITSELF?”

¶10 **This is the crossroads at which we find ourselves.** Absolute Power which corrupts Absolutely = Tyranny – or Liberty? Please review and advise if Judges are required to follow the Constitutional checks and balances, or if they have Absolute Power to deny due process, kidnap, and engage in human trafficking. Please provide findings of fact and conclusions of law, or we will be free to impute the evil intent and actual fact of Absolute Despotism of the State Courts in subsequent legal actions. We insist upon the Rule of Law and the Courts (of all People) should be in agreement with “Rule of Law”.

¶11 Wherefore: Because of 14<sup>th</sup> Amendment § 3 we respectfully request the CJC to affirm the Constitution and forward this matter to the Arizona Supreme Court for the sanction of “Removal”. “The lawful Formal sanctions imposable by the Arizona Supreme Court are: public censure, suspension, and removal.”

¶12 No person shall hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability. The Congress has not voted to allow State Court Judges to Kidnap or Engage in Human Trafficking while Denying Due Process to the People and ignoring the 7<sup>th</sup> Amendment.



Liberty and Justice for All

A Jury is being applied to this case per AZ Const Art 2 § 23, and Art 6 § 17 “inviolate”.

Jury Verdict – Sworn Affidavit

Case Number:

Court Appointed Guardian who is Hostile to the Family and the Protected Person

Commissioner:

Evidence Presented: Sworn Affidavit dated \_\_\_\_\_ including Plea from Daughter.

Documents meet the confidentiality requirements of 42 U.S.C. § 5106a

¶1 This Court has been duly noticed of Defendant’s Right to have a Jury decide this case. The Judge declined to furnish a jury leaving that responsibility to the Parents per the 10<sup>th</sup> Amendment. The above mentioned documents have been presented to a Jury and their **unanimous verdict** is as follows:

¶2 **Jury Verdict:** The State has not met the standard of Clear and Convincing evidence that the Parents are dangerous to their children such that the State is compelled to break up this Family. Wherefore: All orders resulting in separation of Parents from their adult child in this case are void and unenforceable. The court has discretion to utilize its own Jury at any time. The Right to a Jury Remains INVIOATE regardless of the Court’s Discretion.

¶3 This Court now has the discretion to choose any of the following options. Give the Family what they have asked for, authority to direct medical care and protect from food allergies. or Convene the court’s own jury. or Deal with defiance of the US Constitution Art 6 Cl 2 & 3, forfeiture of Judicial Authority, all Orders being Void and Unenforceable.

¶4 7<sup>th</sup> Amendment – “no fact tried by a jury, shall be otherwise re-examined in any Court of the United States”. No-place does it say “a judicial order may not be re-examined by a Jury”. Only the word “Inviolate” controls in this matter.

I swear and affirm under penalty of Perjury that the contents stated herein are true and complete per ARS Title 13 Chapter 27.

1 **Applicable Law and Supporting Claims:**

2 ¶10 Art 6 Cl 2 “Supremacy Clause” and Cl 3 “Oath to follow the Constitution”

3 14<sup>th</sup> Amendment Cl 3 “Violate the oath = forfeit authority to be a judge”

4 7<sup>th</sup> Amendment: “Right to Jury is preserved for any matter over \$20” We presume people are  
5 worth more than \$20. “A jury verdict shall not be reexamined in any court.”

6 10<sup>th</sup> Amendment: “the people”; states who is responsible for furnishing a jury if the Judge does  
7 not wish to do so.

8 AZ Constitution Art 2 Sect 23: Right to a Jury is “inviolable” can never be violated.

9 AZ Constitution Art 6 Sect 17: Right to a Jury is “inviolable” in case judges missed Art 2.

10 AZ Constitution Art 3 “Separation of Powers” If judges see fit to arbitrarily take away our Rights  
11 using “False Maxims” and “fallacies”; they might as well vote in our stead, as well.

12 Federal and ARCP Rule 38 and 39 “Right to a Jury is inviolable” Restates the Constitutions.

13 Supreme Court SCOTUS case law is clear.

14 Minneapolis & St. Louis R. Co. v Bombolis, 241 U.S. 211 (1916)

15 United Gas Public Service Co. v. Texas, 303 U.S. 123 (1938)

16 The People are not prohibited from furnishing their own private jury if the State Courts decline  
17 to do so.

18 Federalist 83 in its entirety, which includes

19 paragraph 17 “the purpose of Juries is to prevent corruption”

20 paragraph 19 “the People are free to implement Juries any way they like that works for them.

21 See “four eastern states”.

22 The Book “The Fraternity: Lawyers and Judges in Collusion” (Including Page 228) written by  
23 John Molloy AZ Court of Appeals Div 2. Molloy also drafted the “Miranda” decision, later  
24 affirmed by SCOTUS.

25 13<sup>th</sup> Amendment: By reducing the People to “Absolute Despotism” and servitude to Lawyers and  
26 Judges, they are violating the abolition of slavery.

**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.**