

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-093

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge had a conflict of interest 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.

After review, the Commission found that the judge had disclosed the potential conflict of interest on the record, however, he failed to afford the parties an opportunity to consider the disqualification outside his presence and the presence of court staff. While this was improper under Rule 2.11(C) of the Code of Judicial Conduct, the Scope Section of the Code provides that not every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the Complaint pursuant to Commission Rules 16(b) and 23(a), but to issue a warning letter to the judicial officer reminding him of the remittal of disqualification procedure under Rule 2.11(C).

Commission members Roger D. Barton and Joseph C. Kreamer did not participate in the consideration of this matter.

Dated: November 12, 2021

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were distributed to all appropriate persons on November 12, 2021.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-093

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

I had a court date on plaintiff, and myself on a personal level. and the judge knows the if it would be a problem, and I said yes, explaining that it was a conflict of interest. The judge sat down and proceeded anyway. It was brought up how the plaintiff was breaking orders by recording me when I visited my kids, and was telling me how to spend my time with them. It was supposed to be supervised, not recorded or monitored. It was also brought up how the plaintiff had a hit out on me, he admitted to trespassing on my property and was starting fires on my lawn, near my vehicles and house, and he admitted to sending people armed with guns to have me killed. The people were didn't want to do anything because of his friendship with right that the plaintiff, is allowed to admit to trying to kill me several times, and is never found to be in contempt of court? Or admits to breaking court orders and is not punished? gets to keep custody of our kids even after admitting to drunk driving with them in the car, and making our daughter of drive when he gets too drunk. With her also present in the vehicle.

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Transcripts of these are on dates

Please see attached, I have copies of exhibits of times where court orders were violated, including a picture of my tire with a screw in it. put it there during one of my visits with the kids.

has also assaulted me, causing tendon and ligament damage in my arm. I have medical records of it, and have shown it to the judge. Lastly, I saw a therapist because everyone wants to think I'm crazy. I don't need a psych eval, but displays characteristics of a psychopath, and is a high risk individual. My lingering effects of trauma is from beating and raping me for and I wasn't allowed to press charges when he admitted to it.

Opening Statement

I keep getting alerts about someone trying to claim me as a dependent on tax returns, and every time I call it's always [redacted] I called a tax professional, and was told [redacted] tried claiming me, his co-worker [redacted] even tried claiming my fiance [redacted] as a dependent, saying they were married [redacted] was supposed to give me [redacted] SSN, so I could claim her because that's what we agreed on, and he refused to do so. He also took my stimulus money from the first and second checks, and tried claiming me to take the third one as well. I was told by a mediator that I get to see the kids on holidays, and when [redacted] asked [redacted] to let me see them on Valentine's, he said no. [redacted] is still violating my mother's rights. I was also told by [redacted] that [redacted] doesn't use a booster seat in the car, when he's not old enough to be without one. I'm tired of [redacted] messaging me at 1 or 2 in the morning, asking me how I'm doing, when I'm going to come back to him, and trying to tell me what to do with the vehicles. He was court ordered not to talk to me, and he still harasses me. He's not supposed to have custody of [redacted] but [redacted] lets him have them by himself. [redacted] told [redacted] not to send me documents straight from his office, because it is harassing, and I keep getting documents from his office instead of through the court system.

On my first day with being able to video chat with my kids, [redacted] was standing in the back staring at me, with no shirt and no pants on. [redacted] asked me if I would go to the movies on [redacted] birthday and spend time with him. I said no and can see and hear [redacted] crying.

Again I could see [redacted] in the video chat, and he kept pointing to the wall. [redacted] turned the camera and there was a mirror with words on it, saying that they miss me and want me to come home to them and

I was asked by my kids why i didn't go to the movies and spend time with them and [redacted] I try to be nice by saying we don't get along, but they keep telling me [redacted] wants me back. [redacted] went into [redacted] room and the walls had pictures of me up, and hearts drawn around my face. [redacted] was crying again, and [redacted] said it was because I didn't show up to see him, I didn't message him happy birthday, and I won't come back to him.

[redacted] walked in front of the camera and gave [redacted] an attitude because she asked for a pencil.

Called my car insurance [redacted] and was told [redacted] tried putting his [redacted] on my insurance, but was denied because he couldn't get any of my security questions correct. Because this is his second offense against my account, they took his insurance away.

I went to [redacted] court in [redacted] and [redacted] confronted me. I asked him if he ever mailed me the numbers to get my psych evaluation done, and he didn't say anything. I told him I haven't received anything in the mail about it and reminded him it was his responsibility to send them to me, and that I've been calling around trying to get myself one. He wouldn't tell me if he would get around to it, and his face got bright red and looked angry at me.

[redacted] was talking to me and all of a sudden she sounded depressed and lowered her voice, telling me that [redacted] was drinking another beer and it makes her upset he drinks so much.

[redacted] told [redacted] to ask me when he can come over and visit me, even though he was court ordered to stay away from me. At the end of the call, I heard [redacted] telling [redacted] to ask me how I am doing.

[redacted] keeps having his friends message me and harass me. Today I got a message from one of his friends, and it was a picture of his exposed crotch. Later on my 30 minutes of face time with [redacted] she showed me the cabinets and how all of them are empty and they have no food, yet [redacted] bought a new car for [redacted]. [redacted] was mad she told me he tried claiming me as a dependent, and I told her I reported him for tax fraud. [redacted] screamed " [redacted] because he still monitors the calls.

[redacted] stopped talking to me during our call because [redacted] kept whispering to her to ask me a question. [redacted] kept asking why over and over, and then [redacted] started to play around with her,

and she didn't want to talk to me anymore. Got off the phone early because she wasn't interested in talking anymore.

I can hear whispering, and was staring off the camera, like she was staring at him, and repeating what he said. She asked me if I was going to town soon, and if I was going to be alone by myself. I got uncomfortable and told her I'm never alone or by myself. stopped whispering and looked back into the camera again.

I got tired of waiting for to send me numbers for a psych evaluation, because he was court recommended to do so. I called my insurance and managed to get myself set up for one. They should get back to me within

Exhibits A-C

Shows that I did contact my insurance and received information about getting a psych evaluation.

Exhibit D

I was filing a federal document form, and needed SSN, and asked if I could have it. He never responded to me so I couldn't document it on the form. I also asked to show the kids the and he never responded saying if he showed them.

Exhibit E

The email was about a possible teacher conference, and wouldn't tell me if it applied to either of our children. I also asked if he wanted to chip in on the toy for the kids, so it can stay at his place for them, and he didn't respond to that either. reads the messages, but doesn't communicate with me.

Exhibit F

I filed taxes early because filed jointly as married last year, and took my stimulus check and put it in the joint account he locked me out of. I never saw any of the money meant for me.

Exhibit G

I got an email about someone using my information to file taxes. I called the number that was provided, and was told that my spouse tried claiming me as a dependent, saying that we were married and lived together.

**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.**