

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-349

Judge:

Complainant:

ORDER

June 10, 2022

The Complainant alleged that a superior court judge violated Rules 1.1, 2.2, 2.3 and 2.5 of the Code of Judicial Conduct.

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 members Colleen E. Concannon and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 10, 2022.

Arizona Commission on Judicial Conduct

Re: On behalf of _____ ' Case

My concern is regarding Judge _____ ADA violations and deprivation of medical care and attention to a cancer patient with federal accommodations. I am extremely outraged by how Judge _____ of the _____ County Superior Courthouse had negligently ordered my former patient, _____, despite numerous warnings to the court, to be forced to attend a public facility identical to a school setting with unvaccinated children as the only means for her to have parenting time with her child last

Her primary oncologist _____ and her PCP, _____ had already warned the court that _____ cannot be exposed to public facilities during the pandemic as a fourth stage cancer patient, as she would never recover if she were to contract the virus. Both her Dr. _____ and Dr. _____ even warned the court of the negative effects of exposing a cancer patient to stressful situations that could impair her current treatment options. Regrettably, since all of our words of caution went unheeded, the patient is now suffering a dismal prognosis due to court-induced trauma, being tormented, exploited, separated from her child, and forced to endure dangerous levels of emotional distress.

On _____, despite Dr. _____ letters and _____ objections, this judge ordered _____ to attend a facility with unvaccinated children to see her daughter as proposed by the opposing counsel while completely ignoring _____ health condition as a fourth stage cancer patient undergoing treatment. Judge also made apathetic comments such as, "Well, you could've seen your child, but you didn't, as he referenced supervised parenting facilities frequented by children in closed public settings during the height of COVID. Despite COVID concerns and _____ being immunocompromised and immunosuppressed as a patient treated for _____ and is _____ this is extremely both disturbing, hostile, disrespectful, and ruthless. I am confident that there were other alternative options for isolated facilities at a psychologist's office including private practices and/or any outdoor community setting. These options were ignored and denied by this judge, instead, he made the decision directed by opposing counsel to attend a center named _____. However, in the beginning, he stated it could be with anyone, even a security guard, and then, turns a blind eye that this is a stage four cancer patient, denies her demand for isolated facilities, even a private practice or residence, and opts to cater to the demands of opposing counsel, irrespective of _____ health concerns as a cancer patient undergoing active treatment. This is negligence.

I have originally written this letter on _____ when an order was made by this judge for _____ to attend a public facility for parenting time. He later had to change his order when this facility was closed due to the holidays. However, what prompted me to send this letter was that on _____ she was requested by this same judge to attend a hearing in person, instead of telephonically to a live hearing, once again, despite Covid concerns and absolute disregard for human life knowing this is a fourth stage cancer patient

On _____ this same judge demands to host his hearing for the same case on _____ only now, due to COVID concerns of the safety of his staff members and himself for fear of COVID variants. Apparently, this message conveys to any member of the public, especially a cancer patient undergoing treatments as _____ that ONLY the health of his staff members and himself are of utmost concern. However, _____ declining health continues to be ignored as it's become blatantly discriminatory.

Neither Judge _____ nor his counterpart, _____ are in the medical field, but his arrogance is excessively profound and surpasses that of a top notch, world -renowned surgeon. This is not only discriminatory and contrary to (Rule 2.3), but a complete utter disregard of human life. His orders are negligent and appear as though he's acting with impunity towards the law. I question his moral standards, integrity, ethics, and competency as a judicial officer. I also question whether this judge has any conscience. He's a disservice to all the staunch taxpayers of this county and undermines the confidence of the judiciary. The voting public will expel him after learning of this case because one of every three people in the county is fighting cancer, or knows a colleague close who is.

On _____ held an ADA hearing for _____ On _____ he made comments that he wasn't aware _____ is ADA, nor have I seen anything! Implying, that _____ s a liar and a false reporter!!! Her advocate had disclosed HIPAA protected medical documentation to his chambers and via email on _____ and again, after the hearing on _____ (See Attachments).

As a judge , _____ is supposed to avoid the appearance of impropriety, but enables and tolerates opposing lawyer to make all the orders and decisions surrounding this case as every motion, order, and request, are always granted. However, requests, motions, proposals, and demands by _____ are clearly tossed under a rug. Even, when they are a potential danger to any cancer patient as the majority on treatment become neutropenic.

These examples and plenty more echo partiality towards one party. Further, equal enforcement of the law is nonexistent with this judge. He is excessively partial towards the other party. I am extremely repulsed by this case and his passive behavior, arrogance, demeanor, and lack of regard for human life. These deliberate delays for a divorce involving zero assets, but primarily, _____ copyrights (her request for a hearing were denied by this judge) and only one child, _____ should not linger in the courts for three years. Her basic rights as a _____ , born and raised , _____ have all gone ignored.

I am a witness to the destruction of a valuable human being by a heartless and unethical judge behaving above the law. One who clearly lacks the competency in his duties to serve as a judicial officer (Incapable of making timely rulings) (No appearance of impropriety in his court, but extreme discrimination, bias, and incompetence).

Attachments:

- 1.) Judge Minute Entry

- 2.) Email to JA from ADA Advocate,
AFTER she submitted HIPAA documents directly in person to Judge's
Chambers due to them being protected

- 3.) Order for Supervised Visitation at

- 4.) 2nd Email to JA from ADA advocate with comment
(handwritten by . This was resubmitted on after Judge
made the comment, " " At the hearing on

ARIZONA SUPERIOR COURT, COUNTY

HON.

CASE NO.

COURT REPORTER: Digitally Recorded
Courtroom -

DATE:

Petitioner

Esq. counsel for Petitioner
(appearing telephonically)

and

Respondent

In Proper Person

MINUTE ENTRY

RESPONDENT'S MOTION TO SET A STATUS CONFERENCE RE: ADA REQUESTS

Both parties are present, appearing telephonically.

ADA advocate is present, appearing telephonically.

The Court, counsel, and confer regarding the Respondent's request for ADA accommodations.

THE COURT FINDS as follows:

1. In this case, the Respondent has requested to be able to attend all future hearings telephonically.
2. The Respondent is requesting that an ADA advocate be present at all hearings.
3. Under the current Administrative Orders, all hearings are presumed to be telephonic at this time.

IT IS ORDERED as follows:

1. Future hearings in this matter shall be telephonic.
2. In the event that the Respondent is requesting a hearing, or is responding to a hearing request from the Petitioner, she shall do so as follows:
 - a. If the Respondent has any particular requests for ADA accommodation with respect to that hearing (including the length of hearing, or breaks during the hearing), the specific ADA requests shall be specified and directed toward the Court.

Deputy Clerk

MINUTE ENTRY

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Date:

Case No.:

The Court notes that the Respondent has filed a Motion to Disqualify the Petitioner's counsel. This Motion was not accompanied by a notice of hearing.

IT IS ORDERED that the Respondent shall file a Notice of Hearing in regards to her Motion to Disqualify.

 indicates she will file a Motion outlining the pending matters in this case along with a Notice of Hearing

In the event there are more than exhibits, counsel/parties shall make arrangements with the Clerk's Office to have them pre-marked one week prior to hearing by calling If you are appearing telephonically and have less than fifteen exhibits, all exhibits shall be submitted to the Clerk's Office no less than three (3) business days prior to the hearing.

The Court signs the minute entry in lieu of a more formal order.

cc: Hon.

Esq.

Deputy Clerk

**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.**