

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-353

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Judge:

Complainant:

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**ORDER**

June 10, 2022

The Complainant alleged that a superior court judge violated Rules 1.1, 2.2, 2.3, 2.5, and 2.6 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 member Colleen E. Concannon did not participate in the consideration of this matter.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

21-353

**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.

Dear Arizona commission on judicial Misconduct my name is \_\_\_\_\_ and this is  
complaint is against Judge \_\_\_\_\_ for the following reasons

On \_\_\_\_\_ I filed a motion for the court to take action involving several years of having to  
file complaints against \_\_\_\_\_ and \_\_\_\_\_ in a Custody case I initiated in  
\_\_\_\_\_ in \_\_\_\_\_ County. Over the course of \_\_\_\_\_ the courts as well as the police have had  
to step in several times to get \_\_\_\_\_ and \_\_\_\_\_ to comply with custody  
orders. In \_\_\_\_\_ I simply stopped asking the courts for assistance seeing as how  
was verbally and physically picking on my then minor of a son. When my son turned \_\_\_\_\_ I filed a  
motion with the court to finally address all of the complaints in my custody case Judge  
denied that motion and said that there wasn't enough evidence to support that motion. I ask  
this commission to take one look at my case file, any legal mind could take all of the motions  
filed in my case already and see that there was enough evidence, and dozens of complaints filed  
against \_\_\_\_\_ and \_\_\_\_\_ over the course of years, there was no need to  
submit more evidence. However, I did submit more evidence On \_\_\_\_\_ I gave the judge a  
motion to reconsider and was again denied and told "  
\_\_\_\_\_ ' Judge \_\_\_\_\_ then directed me to work it out with \_\_\_\_\_ the  
respondent.

I say to this commission that judge \_\_\_\_\_ violated Canon 1. Rule 1.1 that states a judge shall  
comply with the law. I paid the court cost associated to get my case in court any competent  
judge would have been able to pull up my case and see the numerous complaints that have  
been filed against \_\_\_\_\_ over the course of \_\_\_\_\_. these complaints are directly  
related to \_\_\_\_\_ and \_\_\_\_\_ not adhering to the custody agreements set  
forth in \_\_\_\_\_. The pettiness I have had to endure, the number of documented issues that I have  
had to deal with have earned me a day in court. All applicable Arizona statutes were listed in a  
motion to reconsider received by the court clerk in \_\_\_\_\_ County on \_\_\_\_\_

Judge \_\_\_\_\_ directed me to work it out with the respondent despite knowing and at no time  
in the history of this case was I able to work anything out with the respondent which is why I  
took her to court to gain the right to see my son in the first place. I paid the court cost  
associated to having my motion to reconsider heard, the judge should have immediately set it  
for hearing based on all of the documentation already listed in the case file.

(Arizona code of judicial misconduct) Canon 2 rule 2.6 states that ensuring the right to be heard)

Forcing me to work it out outside of court is a direct violation of this rule. Had I've been able to work it out with [redacted] I would not have paid the court cost to take her to court.

Despite having all this evidence already in my case file, I then on [redacted] submitted A motion to reconsider and no less than [redacted] citing specific Arizona statutes and laws. Introducing new evidence numerous new police report showing the interference from [redacted] and [redacted] numerous letters that were written by my son over the course of the years showing [redacted] continued interference. I specifically cited very relevant new Arizona caselaw from the [redacted] that stated to the effects of one party being granted sole custody. Immediately after I sent that Motion, I asked the judge to take no action. It was because I saw that he had no intention of doing anything in my case. Also, at this time court documents that I was receiving from the court were spelling my name as "[redacted]"; which I believe was an attempt to mock me.

In an attempt to appease judge [redacted] I submitted a motion to withdraw any action and by letting a little time past, show him [redacted] had no intention of working anything outside of a court room. I then on [redacted] sent letters from me and my girlfriend directly to Judge [redacted] asking him to please review the evidence in my case and make a decision one way or the other. The goal was to get out of his court room into an appeals court or have another judge appointed. Just [redacted] acknowledged receipt of those letters but still took no action. In an attempt to force a response from Judge [redacted] I sent him a couple of emails calling him trash on purpose. The goal of these emails was to incite a response. I now ask that this committee review that response. The response is an outright lie of what has proceeded in my case Judge [redacted] blatantly lies on a court order about never receiving a motion to reconsider after he "dismissed without prejudice" Arizona rule of judicial conduct Canon 2 rule 2.5 competence diligence and cooperation)

In his final order before transferring the case to another judge [redacted] states that

"

"

I have attached the entire [redacted] motion to reconsider that the court received. I ask that this commission read Judge [redacted] order and see that not only is he lying about never receiving a motion but you can see the clerks stamp on the corner of the time and date

stamped. Judge [redacted] attempted to prejudice any further court by saying he was he was ' [redacted] ' in the email's correspondence. I have attached all email correspondence between myself and Judge [redacted] office. I ask that this commission review ask if future needed information be submitted by the court to get on the record that Judge [redacted] was never threatened and it is an outright lie. He never looked at my case file he never looked at any of the evidence contained in the case. I do not understand how it doesn't get any more incompetent than a judge submitting orders and never looking at the evidence before him.

Judge [redacted] goes on to state that I did not forward a copy of the paperwork to the [redacted] office there is no legal reason for me to be sending copies of paperwork to the [redacted] office. That's not how this works the court sends the orders if it takes action. He then goes on to say that I did not serve [redacted] with correspondence, the only outside correspondence was a previous complaint filed against Judge [redacted] (in which Judge [redacted] immediately directed his office to stop spelling [redacted] on the court documents), and 2 letters pleading with the court to take action.

Under the color of "impartiality" Judge [redacted] then removed himself from my case but put in the last order that I threatened him. By saying that he was threatening judge [redacted] attempted to pollute the mind of the newly appointed judge as well as misrepresent the facts that the communication that was sent to him were emails asking the judge to simply make a movement on my case a standard procedure that every court in the world allows anyone to do. Acting in good faith I sent those letters to judge [redacted] Whom through his secretary told me to send them through email.

Arizona rule on judicial misconduct Canon 2 rule 2.2 Impartiality and fairness and Canon rule 2.3  
RULE 2.3. Bias, Prejudice, and Harassment

(A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

I have previously filed a complaint with this commission because judge [redacted] and his responses to my motions had taken to calling me " [redacted] " On court orders in an attempt to mock me. I did send judge [redacted] a copy of the complaint filed against him Judge [redacted] then directed the clerk to correct spelling of my name calling it an "accident" And in his last court order by saying that I threatened him he has polluted the mind of any judge that will take a look at that order and will automatically assume that what he is saying is true. I have attached all email correspondence with Judge [redacted] office I believe this is a pattern that has followed

from his days of private service as well as his time at the office of which both times he was fired for the same exact complaints. Laziness and inability to comprehend basic concepts of the law. An inability to handle a caseload, improper statement and above all flat out lying judge says that he did not receive a motion from me citing specific Arizona law and statues for him to grant a hearing to determine relief this commission has in its evidence list the motion that directly refutes those statements made in his last court order.

I know what type of man is. I knew the only way to get Judge to take any action at all was to essentially call him a couple names in an email. I am asking this commission to look at his final court order, He is no longer the Judge in my case. Still, I am asking this Commission to review his final court order and for all of the above mentions hold him responsible for violating Arizona code on judicial misconduct.

**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.**