

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-021

Judge:

Complainant:

ORDER

July 21, 2022

The Complainant alleged a superior court judge improperly upheld an order of protection against him following a contested hearing.

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 Christopher P. Staring and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 21, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2022-021****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.

On _____ at _____ I arrived in _____ Court in _____ County
for a order of protection. The night before court my attorney left me a e-mail message
stating they would not be able to represent me. When I arrived in court the plaintiff,
had hired the attorney I thought I had. I entered the court room with a binder of evidence showing my
incenses in this order of protection which took my _____ vr son _____ away from me. During the
proceedings the plaintiff's attorney,
AZ _____ objected to all my questions. I was never allowed to cross examine, submit my evidence or my
witness, _____ Actually my witness wasn't even allowed to come into the courtroom.

I have paperwork showing that the charges against me were all lies and the date and times mentioned in
the order of protection were false and I can prove that I wasn't at these places and times. My business,
is conducted out of home at _____ and
I'm not allowed to enter the property to conduct business. I have been sole care taker for my son
in which they took him away from me also. I own a service dog which has been taken from me
and it makes it hard for me to do every day things. During the court proceedings I was confused with what
was going on. The judge asked me if I had any legal council, which I did not. The judge then stated, then
you will be representing yourself and moved on. _____ submitted evidence on this case and I
wasn't allowed to or even cross examine the accusations stated in the order of protection. This order of
protection says I'm not to contact my son in any way or _____ or enter the property of
_____ where my business is. I have customers asking for their products that are paid for and I
can't get any of my work.

I received a call from a private number. When I went to listen to my
voice mail the message was from _____ letting my sor _____ talk and tell me
he loves me. There is suppose to be no contact so why can she call me?

_____ went to get papers to file an appeal at the
county clerks office in _____ She picked them up and after I filled them out she went back to the
court house where she was told by _____ of _____ court that she knows all about this
case and asked me if I really wanted to file these papers. She then submitted the paperwork and also for
the audio digital recording request form for the court proceedings, which I have not received back yet.

I called _____ to ask a question regarding
scheduling a civil stand by. _____ just hung up on me.

I received a call from _____ from the _____ department,
in regards to signing papers from the court. I stated
that I wasn't in town since I have been taken away from my business. _____ stated that I was in
violation and charges will be filed and he also mentioned that Judge _____ had it out for me.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-021

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.

My feel that Judge _____ decided before he even walked into the courtroom that I was guilty of all statements made on the order of protection. I don't think that this is justified and I have been uprooted from my home, business, son and service dog. Thank you and if you have any questions feel free to call me at _____

Respectfully,

attached:

AZ

COURT /

COUNTY COURT

Plaintiff <input type="checkbox"/> Employer-Plaintiff if Workplace Injunction	Defendant	Case No:
<input type="checkbox"/> On behalf of minor/person in need of protection named	Defendant's address	PETITION for: <input checked="" type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Workplace Injunction
Agent's name (if Workplace Injunction)	Defendant's Phone	

This petition contains Plaintiff's name and address. To view what the Court has ordered, see Order 7 form.

DIRECTIONS: Please read the Plaintiff's Guide Sheet before filling out this form.

1. Defendant/Plaintiff Relationship (or relationship between Defendant and minor/person in need of protection)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Married (past or present) | <input type="checkbox"/> Related as parent, grandparent, child, grandchild, brother, sister (or in-law/step) |
| <input type="checkbox"/> Live/lived together as intimate partners | <input type="checkbox"/> Live/lived together but not as intimate partners |
| <input type="checkbox"/> Romantic/sexual (past or present) | <input type="checkbox"/> Dating (but not romantic or sexual) |
| <input type="checkbox"/> Parent of a child in common | <input type="checkbox"/> Other: |
| <input type="checkbox"/> One party is pregnant by the other | |

2. ☐ Defendant and I have a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time, or support in (County/Superior Court), Case # .

**3. Name of court, if any, in which any other protective order related to this conduct has been filed.
Court name - Case #**

(Continue to next page)

4. Tell the judge what happened and why you need this order. PRINT both the dates and a brief description of what happened. If there is a contested hearing, a judge can consider only what you write here.

NOTE: Defendant will receive a copy of this petition when the order is served.

(Do not write on back or in the margin. Attach additional paper if necessary.)

07/17/2021

After days of no communication from Chad while he had Xander and not knowing where he was finally got a hold of him and he wouldn't tell me where he was with. I headed down to the valley and told him I was coming to get him. He said he would meet me half way. We met at [redacted] and that's when he threatened to kill me if I took away from him. Later that night he told me he had taken a bunch of [redacted] he had [redacted] with him. He made me fearful of what he would do if I did anything with my son. It makes me fearful for my son when he is with [redacted] because I don't know about [redacted] safety.

[redacted] daughter had friend over for a sleep over and [redacted] finally got back home with and he was very hostile with me in front of this friend of my daughters. He forcefully took my phone away from me and locked himself in his truck and was being very hostile yelling at me through the window that made me fearful of what he might do. The way he was yelling and looking scared me and scared my daughter. My daughter kept [redacted] in the other bedroom so he wouldn't have to listen or see what was going on.

[redacted] always talks hostile to me and verbally abuses and mentally abuses me. He is very scary when he gets mad and makes me fear what will happen if I don't give him what he wants.

[redacted] has consistently left with our son and not come back for days on end with no communication. He has threatened to keep my son away from with only being able to see him when he is there. [redacted] had an addiction to meth and I have pics to prove it. He has threatened to kill me in the past and has gotten in an accident due to being high on pills. He is very intimidating when he gets mad and he gets scary even over the phone. See page 1 of 2

5. The following persons should also be on this order. They should be protected because Defendant is a danger to them:

[X] Residence

[X] Work

[X] School/Other

7. a. [] Defendant owns or carries a firearm or other weapons.

b. ☐ Defendant should be ordered **NOT** to possess firearms or ammunition while this order is in effect because of the risk of harm to me or other protected persons.

8. ☒ Defendant should be ordered to stay away from any animal that is owned, possessed, leased, kept or held by me, Defendant, or a minor child living in either my household or Defendant's household.

9. Other Requests:)

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge. I request an order or an injunction granting relief as allowed by law.

Plaintiff

**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.**