

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 22-280

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Judge:

Complainant:

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**ORDER**

September 14, 2022

The Complainant alleged an appellate court judge failed to recuse on a matter in which the judge had conflict of interest.

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 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 Denise K. Aguilar, Roger D. Barton, Michael J. Brown, Colleen E. Concannon, and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 14, 2022.

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Attachments:

[pdf](#)  
[pdf](#)

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**From:** .com>  
**Sent:**  
**To:** Commission on Judicial Conduct  
**Subject:** Judge

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, please consider this email and 2 attachments my judicial complaint directed at Judge [redacted] for these reasons.

First, when assigned my civil case, Judge [redacted] disqualified herself as shown in the minute entry. That was about [redacted] ago. However, she did not disqualify herself from my proceeding even though my [redacted] grievance is a substantial part of the [redacted] complaint against me. Nothing has changed in the past [redacted] removing the conflict of interest that caused Judge [redacted] to recuse herself in the first place.

see Supreme court rule 48(j): **"(j) Disqualification.** Members of the board, members of the committee, the members of a hearing panel, the presiding disciplinary judge, and settlement officers shall refrain from taking part in any proceeding in which a judge, similarly situated, would be required to abstain."

Before her ruling, the state bar told me Judge \_\_\_\_\_ ran committee; no one said anything about Judge \_\_\_\_\_. If I had been told that she was running the committee, I would have asked for disqualification under rule 50 (g) but I was misled as to who ran the committee. I do not think that was intentional however because the lady from the \_\_\_\_\_ who emailed me was very polite.

Second, the probable cause order that she signed claims the committee considered my response to the \_\_\_\_\_ counsel's report. But I never responded to the report. Thus, the judicial record is false and misleading that the probable cause still ruled against me even after considering my response. That is a false statement defaming my character and professional reputation.

While I did file a \_\_\_\_\_ complaint against \_\_\_\_\_ counsel, that is not the putative "response" because I supplemented that complaint the next day. If that is the committee's position my \_\_\_\_\_ counsel complaint is the "response", then the review was inadequate and unfair because they did not consider my supplement. Either way, her signing the probable cause order that they had considered my response was prejudicial and completely improper.

In truth, the probable cause order seemed last second rushed and impromptu. I am not even sure Judge \_\_\_\_\_ even read anything about my \_\_\_\_\_ case and just signed it so the \_\_\_\_\_ could get it out.

Her failure to disqualify herself and her signing an order that falsely claims my response violated judicial canons of integrity, impartiality, and avoiding the appearance of impropriety. It certainly does not promote confidence in the judiciary.

If this commission requires any additional documents or emails or anything else to pursue this matter, please let me know.

SUPERIOR COURT OF ARIZONA  
COUNTY

HON.

CLERK OF THE COURT

V.

JUDGE  
JUDGE

CASE REASSIGNMENT - CIVIL PRESIDING JUDGE

This case was previously assigned to the Honorable who has disqualified herself. The case was transferred to the Presiding Civil Judge for reassignment.

**IT IS ORDERED** reassigning this case to Civil Calendar the Honorable  
for all further proceedings.

**IT IS FURTHER ORDERED** that any and all hearings set by the disqualified judge are vacated, to be reset by the new division.

**IT IS FURTHER ORDERED** that the parties shall jointly file **within 10 days of the date of this minute entry**, a notice with the new division listing any outstanding motions (including the file dates), whether they are ripe for resolution, and any hearings that need to be reset.

No.

**PROBABLE CAUSE ORDER**

Respondent.

The

(" ") reviewed this matter on pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the and

By a vote of , the finds probable cause exists to file a complaint against Respondent in File No.

**IT IS THEREFORE ORDERED** pursuant to Rule 55(c) and 58(a), Ariz. R. Sup. Ct., authorizing the counsel to prepare and file a complaint with the Clerk.

<sup>1</sup> Chair Hon. participate in this matter.

and Vice Chair did not

Parties may not file motions for reconsideration of this Order.

**DATED** this

Hon.

Acting Chair

Original filed this  
of with:

Copy E-mailed this

Respondent

Copy E-mailed this

E-mail:

gov

Records Manager

**THE COMMISSION'S POLICY IS  
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COMPLAINT ON ITS WEBSITE.**

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COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
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THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**