

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-355

Judge:

Complainant:

ORDER

October 24, 2023

The Complainant alleged that a superior court judge committed perjury in his family law case.

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 Barbara Brown and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 24, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2022-355****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.

THERE WERE HEARINGS AND A TRIAL SET UP FOR CUSTODY AND CHILD SUPPORT IN THIS CASE. THE FIRST WAS AN EVIDENTIARY HEARING. DURING THIS HEARING THE JUDGE ORDERED ME TO SUBMIT TO A HAIR FOLLICLE TEST AND A U.A., HOWEVER, ~~HE~~ AFTER I TOLD HIM THAT I WAS MOLESTED AT GUN-POINT WHEN I WAS YOAAS OLD, HE CHOSE TO ADD A VERBAL MODIFICATION TO THAT ORDER. YOU WILL HEAR A FULL DESCRIPTION OF THAT VERBAL MODIFICATION IN THE COURT ~~RECORDING~~ RECORDING DURING THE TRIAL.

JUDGE COMMITTED PERJURY TWICE. THE FIRST TIME WAS DURING THE HEARING ON HE ADMITS TO A DISCUSSION ABOUT THE VERBAL MODIFICATION, BUT IT WAS VERY LIMITED. HE ALSO SAID THAT HE HAD RECEIVED NO NOTICE OF ANY DRUG TEST RESULTS. (PLEASE REFER TO TEST RESULTS FILED ON RECORDS CLERK AT THE RECORDS ROOM ON I GOT THIS DIRECTLY FROM THE

(ALSO PLEASE REFER TO MINUTES REPORT FROM COURT HEARING ON ^{WELL} AFTER THE DRUG TEST RESULTS WERE FILED INTO THIS CASE). I WAS NOT NOTIFIED OF THIS HEARING, ACCEPT THROUGH GENERAL DELIVERY, WHICH I DIDNT KNOW ABOUT, BECAUSE THE COURT REFUSED TO CALL OR EMAIL ME TO LET ME KNOW THAT I WAS BEING MAILED COURT DOCUMENTS. I AM HOMELESS AND HAVE NO ADDRESS.

WAS ALSO APPOINTED COURT LIASON BETWEEN MY EX-WIFE AND I AND HAS MY PHONE NUMBER AND EMAIL ADDRESS AND SHE ALSO FAILED TO NOTIFY ME OF THE COURT HEARING. JUDGE ^{LET HER} GET AWAY WITH FAILING TO DO HER COURT APPOINTED DUTY.

THEN, DURING THE TRIAL ON ^{THE JUDGE} MENTIONS DRUG TESTING AGAIN, AND AGAIN, DENIES HAVING ANY KNOWLEDGE OF MY DRUG TEST RESULTS.

I WOULD LIKE TO POINT OUT THAT JUDGE ADMITTED, DURING THE TRIAL, TO MAKING THAT VERBAL MODIFICATION BUT IF YOU LISTEN TO THE EVIDENTIARY HEARING ON ^{THAT} DIALOGUE HAS BEEN DELETED. I BELIEVE THAT IS TAMPERING WITH EVIDENCE.

YOU SHOULD KNOW THAT THE VERBAL MODIFICATION INCLUDES MY PROBATION OFFICER,

JUDGE STATED AT THE EVIDENTIARY HEARING THAT IF I WENT TO HER AND HAD HER ORDER A SALIVA TEST AND GAVE THE SAMPLE AT THE SAME TIME AS THE HAIR FOLLICLE SAMPLE AND AS LONG AS THEY WERE BOTH NEGATIVE, THAT WOULD BE ACCEPTABLE TO HIM.

PLACED THE ORDER AND SENT JUDGE THE RESULTS OF THAT TEST AS WELL AS ALL OF MY OTHER TEST RESULTS. SO, BASICALLY, JUDGE

REDACTED A COURT ORDER THAT HAD ALREADY BEEN SUSPENDED, ON THE HEARING I WAS NOT NOTIFIED ABOUT. (SEE COURT ORDER FOR DRUG TESTING,). (SAID COURT ORDER WAS SUSPENDED OF , WHEN STARTED ME ON REGULAR TESTING).

JUDGE IS INSISTING THAT, NOT ONLY IS LYING ABOUT SENDING HIM DRUG TEST RESULTS, BUT, HE IS ALSO LYING ABOUT MY PROBATION OFFICER, NOT SENDING HIM TEST RESULTS. IN ADDITION, ON HE ASKED ME WHY I WASN'T GETTING PRINT-OUTS OF MY TEST RESULTS AND HAVING THEM ADMITTED INTO THE CASE FILE. HE NEVER TOLD ME I HAD TO DO THAT. I TOLD HIM THAT MY PROBATION OFFICER COULD EMAIL THE TEST RESULTS TO HIM AND TO

HE ALSO REPEATEDLY VIOLATED MY RIGHTS.
I TOLD HIM AT THE BEGINNING OF THE FIRST
HEARING ON , THAT I HAD THE
RIGHT TO HAVE A LAWYOR AND TO HAVE
SUFFICIENT TIME TO PUT MY DEFENSE
TOGETHER, HE TOLD ME I DID NOT HAVE
THOSE RIGHTS.

PLEASE INVESTIGATE THIS CASE
QUICKLY I AM HOMELESS AND CANNOT
AFFORD THE REDICULOUS AMOUNT OF
CHILD SUPPORT HE GAVE ME. THIS GUY
RAKED ME OVER THE COALS FOR
NO REASON OTHER THAN HE FELT
LIKE BEING AN ASSHOLE AND
THOUGHT HE COULD GET AWAY WITH IT.

THANK YOU

//

IN THE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF

CLERK

FILED	✓
Date:	_____
_____ o'clock	_____ Clerk
By:	_____ Deputy

HON.

BY:

DEPUTY

CASE NO.

DATE:

TITLE:

COUNSEL:

In Pro Per

Petitioner

(Petitioner)

-VS-

Respondent

ESQ (e)
(For Respondent)

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

Temporary Orders

FTR Gold

START TIME:

APPEARANCES:

Petitioner
Respondent
Counsel for Respondent

This is the date and time set for a hearing on Temporary Orders.

and are administered the oath and present testimony.

During the testimony of , the Court **FINDS** the Temporary Orders from County to be a permanent Order of the Court.

Counsel for the Respondent and the Petitioner present closing arguments.

The Court addresses the Parties.

IT IS ORDERED, on a temporary basis:

- Sole Legal Decision Making is awarded to Mother,
- Drug testing for the Petitioner per attached order.
- Provided the drug tests are negative, Father shall have supervised Parenting Time every other for hours. Father's visits shall be supervised through a private supervisor or a mutually agreed upon third party. A positive, missed or diluted test will count as a positive test and the next Parenting Time for Father will be suspended.
- Father's first visits with the minor child shall be supervised by a professional supervisor. Parties shall split the costs.

The Court notes if and when Adult Probation commences drug testing on the Petitioner, then it will suspend the drug testing order in this matter.

END TIME:

The Honorable
JUDGE OF THE

COURT

**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.**