

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-389

Judge:

Complainant:

ORDER

June 28, 2023

The Complainant alleged erroneous legal rulings and racial bias by a superior court judge hearing a family 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 Colleen E. Concannon and Scott C. Silva did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 28, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-389

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.

Please See Attached Sheets
Total of 8

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Dear **Commission on Judicial Performance,**

I , would like to file a formal grievance regarding . I feel that there was an abuse of power that was used in the cases of I and . During this entire process, from my view point, has not shown that he has taken the "Best interest of the Child" into consideration. Every decision that was handed down was in favor of , not . In final statement, the tone of his response makes it feel that I and mother () lied to the court. It was even stated that I stated that I used a paralegal because I could not afford a lawyer in . I interpret this statement, as I knowingly attempted to mislead the court. I paid for professional service of someone that I expected to know the process. Due to the paralegal not serving , we find ourself in court. **The stipulated agreement was signed by the Judge in . At that time, there was no question by the signing judge or by the court for the need of proof that needed to be served.**

was well aware of the court order agreement by proof of financial deposits into his account for child support, visitation agreements, and his own statements. It feels as though , faults me for not spending tens of thousands of dollars initially, to get custody of my own son. In one of the court documents, claims that he "recently" (meaning) became aware of the signed Stipulated Agreement from . Meanwhile this obvious lie was never questioned or addressed by . It was mentioned multiple times in this entire process that Child Support payments was going into and joint banking account. Also, I needed a notarized letter from the biological father to take to in . Here it is over to years later, he is lying to the court and not being held accountable.

Despite all the legal criteria to correct the birth certificate that has been met. As well as the "legal Father" never disputing the change in Birth Certificate. , denied the Biological Father the opportunity to have his name on his son's birth certificate! How can this be in the "Best interest of the Child" At each hearing, it was presented to the court that is not even birth name. birth name is .

has been made aware multiple times that , is not even Birth name. He took on his wife's name to hide from his past criminal background. maiden last name is . Despite this information continues to deny any name change or correction of the birth certificate. How does this benefit ?

gave credit for being in life for the past years. Yet there is no credit given to the biological father for being the father figure and a very constant part of I life for the past years. , was provided information regarding child support, regular and consistent visitation, taking to multiple times to be with blood family. Blood relatives coming to to be with Biological Father staying to late hours at house to do school work with to help get his grades up. Taking to his practices and sporting events. Paying hundreds of dollars for extra tutoring. Plus, much more. But no where is biological father given any credit for being a father figure.

In final statement. It appears that , looked for any reasons to justify his decision. One such reason for his justification is that calls the legal father " " and the biological father "I ". For those who know, it is an honor in my culture/family to be called

My grandfather was sincerely called _____ by his _____ kids and all who knew him. I called my father _____, and all that were close him called him the same. Also when I came into live at _____ years, he was calling _____, "_____". So not to confuse _____, a agreed not to force him to call me "_____".

_____ was considered a "nice person" by the people who knew him. He was the life of the party. He worked as clown and was a community leader. Yet he preyed on young men and killed many of them. I am not saying that _____ is a murderer, but there are some similarities. _____ always has to be the center of attention and the partyer. _____ does prey on women and children and emotionally kills them. _____ has destroyed multiple lives. He has stolen people's identity, finances, and destroyed relationships of people around him.

This is the type of person that _____ has found to be a suitable role model for my son. Despite multiple evidence provided to the court and testimony of witnesses, finds _____ as a fit parent.

The lack of even one character letter or one witness willing to testify on his behave, was not enough of a red flag to find judgement against _____ still found in favor _____ and granting him all powers as "father" over my son.

The court was provided multiple character letters and three witnesses that took time out of their day to testify of the relationship I had with my son for the past _____ to _____ years. As well as the negative events they witnessed between _____ and _____. Testimony was also provided regarding general negative behaviors _____ exhibited towards his family. _____ appears to totally disregard the testimony of a Pastor, a Registered Nurse, and a close neighbor. All three put their careers and integrity on the line. Yet _____ has multiple friends, business associates and clients; not one person would testify in person or even on paper of his "positive" role as a father.

_____ decisions has racial bias from start to finish. This is another example of people with power keeping Black children from real positive Black Men. _____ **has accepted all the lies of a White man, over all the truths of a Black man.** Even in the report from _____ evaluation which _____ has referenced; _____ acknowledges _____ as seeing _____ as a "fun" dad. Yet there is no indication that he took _____ statement of the biological dad, being a person of "truth", into consideration on what is best for development and well fare of _____. Based on this decision "Fun trumps Truth".

The following Specific Captions from _____ Decision, I find to be very troubling and without merit.

- _____ made the statement in his decision "

This is an assumption made by the _____. Just because people live together, does not mean there is a "bonded relationship". This assumes that children that live with abusive parents, have a loving,

bonding and functionable relationship with the parent(s). People live in this situation for years and decades because usually there are no other viable options at that particular moment in time. This does not mean that there is a bonding relationship. This is unfortunately the situation in the divorce case. with [redacted] and [redacted]. [redacted] has a biological [redacted] year old daughter with [redacted] mother. According to [redacted] statement. We are to believe that there should be an unbreakable bond with [redacted] daughter. Yet [redacted] own biological daughter has very little to do with him. [redacted] was granted every other weekend of his daughter in the temporary orders of the divorce case. Yet she has not gone to see her father for multiple weeks at time. When she does go to see him, she returns home to her mother in an altered state of fear and anger. [redacted] was provided evidence of this through multiple text messages and emails between the daughter and mother, father and daughter, father and mother. Despite knowledge and evidence of verbal threats also verbal and emotional abuse; [redacted] made it clear in the temporary orders that [redacted] is to go to [redacted] even if his own biological daughter did not go. That alone put unmeasurable stress and anger between the two siblings.

[redacted] may have stood in the position of [redacted] " [redacted] ' for the last [redacted] years, but he did not stand in the position of [redacted] " [redacted] '.

[redacted] has not provided a single dime of support for [redacted] since they moved out almost [redacted] years ago.

As I became involved in [redacted] live. I was always introduced to everyone by [redacted] and as " [redacted] ". [redacted] would also introduced me as [redacted] father to his own friends, despite the disgust he had when he verbalized it. It usually was followed by a derogatory comment.

I had taken on the "Father Role", within months of my introduction to [redacted] Which included but not limited to School activities, paying child support before any agreement or court signing was made, paying for extra tutoring after school, taking care of him when he was sick, shopping for and with [redacted] for cloths and toys, and many other Father/Dad duties.

- [redacted] also states "

-----, 'The fact that [redacted] stated multiple times that he saw [redacted] every day is lying under oath. Where is the consequence?

How could [redacted] see [redacted] every day if he was me mostly every other weekend. I also had most [redacted] and [redacted] after school. [redacted] text and Phone log was entered into evidence and it showed the very limited amount times and little substance in the text messages he had with [redacted] when [redacted] was me. The text messages even showed the irresponsible actions [redacted] took when [redacted] was in his care.

**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.**