State of Arizona

COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-398		
Judge:		
Complainant:		

ORDER

May 25, 2023

The Complainant alleged a superior court commissioner did not allow a party an opportunity to be heard and then improperly denied an order of protection.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 25, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-398

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.
RULE 2.6. Ensuring the Right to Be Heard
(A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. 1. The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.
Judge did not ask me why I felt I needed the order of protection nor did she give me the opportunity to be heard. Judge came in and sat down and advised me that the previous judge, who signed my Order of Protection on did so because of the assault perpetrated on me, by the defendan (my vent to jail for the assault. So Judge said, basically, that the assault wasn't going to be a part of the current petition I was filling for on Judge then went on to explain that the defendant has not done anything aggressive towards me within the last year. Judge did not ask me anything nor did she let me speak about what he has done and why I feel I'm in danger and why I need this New Order of Protection. As Judge got up to leave the room I said 'I had submitted in my new petition the police report numbers in regards to the violations). Judge replied, " "Judge in my Family Court case (, ordered the defendant to pick up our child from grandparent' s house due to the Order of Protection. So the defendant knew he
shouldn't be at my house for any reason. Judge then again said my petition was denied and she left the room.
RULE 2.8. Decorum, Demeanor, and Communication with Jurors
(B) A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's direction and control.
Judge was not patient, courteous or respectful to me. She was short, curt and dismissive. Judge never asked me what happened, didn't ask why I feel I need this Order, didn't ask what the defendant has done to me. Didn't even ask what was going on to allow me to speak. Just told me she was going to deny my petition and then got up and walked out. She probably spent 4 minutes with me, and that was just to tell me why my Order was being denied.
This ny current Order of Protection will expire. I live in fear of Over the past year, with the current Order of Protection in place, he has stolen all of our money out of our joint account (). He had our oldest daughter come to the house several times, without my knowledge, to remove items such as guns, computer equipment, files, and anything he wanted. He has canceled MY debit/credit cards and had new cards issued in my name, and sent to him at his address). He has not maintained 'No Contact' he has contacted my mother several
2 SEE ATTACHED

	times, to have her spe-	ak to me (), he
has harassed me through attorneys (through presen	nt). He has use	ed my
credit card to pay his loan/bill	. He has come to my hou	ise and taken o	our younger
daughter without my knowledge or peri	mission (I have full custody of	her) and claime	ed his
', said it was ok for	him to do. He called the	Police and	lied to them
and told them I wasn't abiding by the c	ourt order for parenting time.	So the police ca	ame to my
house with the defendant and again t	took my daughter. The Order for	rom judge	states
that my daughter is to be picked up at	grandparent's house due to th	e Order of Prot	ection. He
told the police, again, that his lawyer to	old him to come to my house to	get her. Now	as of
he has refused to pay child	d support, spousal support, an	d has canceled	d all health
insurance. Yes I will eventually go befo	ore Judge on the suppo	ort and health i	nsurance
issues, but it all goes to the defendants	s pattern of abusive behavior.	ha	as tried to
strangle his first wife to death,	and threatened to shoot her with a gun,		
when they lived in	The defendant also pulled a	gun on me and	choked me.

I thank you for hearing my complaint and I hope that by the time this is read by you I have not suffered any more physical, emotional, or mental abuse by the defendant, Here are the many police reports regarding domestic violence that show beyond doubt that this man is dangerous and capable of inflicting physical harm on me and my children.

Police Report:

Police Report numbers:

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