

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-401

Judge:

Complainant:

ORDER

August 25, 2023

The complainant alleged a justice of the peace denied her the right to be heard on two petitions for 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 members Denise K. Aguilar, Roger D. Barton, and Michael J. Brown did not participate in the consideration of this matter.

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

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: RE: COMPLAINT AGAINST

COURT

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.

Good afternoon my name is _____ and I would like to file an official complaint against _____

On _____ I filed an order of protection against my sister _____. _____ made false reports to law enforcement with the sole intent on myself going to jail to be harassitory and retaliatory against me,shes made multiple false reports to _____, She's called housing to try and get my evicted from housing, she admitted she hasn't talked to me in _____ in _____ and filed malicious order of protection against me which _____. I requested a hearing with the Judge in _____ which was scheduledfor _____. That order in which I was the defendant was dismissed. She claimed identity theft and fraud I was investigated by _____ and Detective _____ concluded _____ accusations were unfounded. She's called _____ and stated me and my kids shoplift _____ is known when she doesn't get her way to maliciously retaliate. When I filed the order of protection online my petition was given to _____. I waited for her to call the entire day and she never called me. I called the _____ Court and spoke to _____ who stated she would reach out to _____ directly. _____ reached out to her and _____ called me. I said hello several times and she hung up. I fount out later by _____ that _____ denied my order of protection.

_____ after speaking to law enforcement in _____ with regards to filing harassment charges against _____. I was advised to file an order of protection. I did so. Once I finished my order of protection via online. I contacted the _____ Court and spoke to _____ in which I gave her the online confirmation number. I advised her several times I did not want this OP sent to the Judge in _____. She stated that the judges were out this week and shes the only one available. I was VERY RELUCTANT but agreed. At _____ I received a phone call from _____. I answered the phone and said hello for 8 seconds and she hung the phone up. At _____ I called that same number back as I was taken through multiple prompts I hung up and called the _____

Court. I spoke to [REDACTED] and advised her of the call I received and she stated it was from [REDACTED] stated she would call the [REDACTED] to see if she could call me back again. I thanked her for her time and disconnected the call.

I made an attempt to call [REDACTED] at [REDACTED] and the secretary answered I gave her my information so I could speak to [REDACTED]. She put me on a long wait then answered the phone and said [REDACTED] contacted me twice and denied the order. I advised her that was not true her secretary was very rude which I have recorded.

[REDACTED] is very PREJUDICIAL, BIAS, UNETHICAL and RACIALLY DISCRIMINATORY. [REDACTED] notes she wrote on the Order of protection are preposterous of course she wouldn't know all the details as I'm only given so much room to write on my complaint online. I have the evidence needed to file an OP [REDACTED] OPINIONS are accusations if she would have done her job and initiated contact instead of hanging up when I said hello there wouldn't be an issue. I don't know what this Judges issue is with me but she's a VERY DISRESPECTFUL person as well. She doesn't base her decisions on the law she uses her feelings. [REDACTED] is not fair and she allows her staff to be rude and for her to LIE TO JUSTIFY WHY MY ORDER WAS DENIED IS DISGRACEFUL I will submit my evidence below. How would I be able to submit documentation to prove my case to [REDACTED] if she lied about contacting me. And this is why I didn't want her to decide this matter because she did the same thing in [REDACTED]. Judges that lie such as [REDACTED] definitely don't belong on the bench and should be removed immediately.

If she would have granted my order of protection [REDACTED] an officer from the [REDACTED] stated [REDACTED] would have been charged with felony violation of a court order.

ARS 13-2921

For the purposes of this section, "harass" means conduct that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed, humiliated or mentally distressed and the conduct in fact seriously alarms, annoys, humiliates or mentally distresses the person.

Respectfully Submitted

If you have any questions or concerns please feel free to contact me at [REDACTED] or [REDACTED]

| | | |
|-----------|----------|---|
| Plaintiff | CASE NO: | HEARING ORDER |
| V | | <input checked="" type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Injunction Against Workplace Harassment |
| Defendant | | Issued Date: |

☒ The request for:
☒ A protective order is ☐ granted ☒ denied ☐ withdrawn. Reason: _____
☐ A hearing is denied.
☐ A motion to continue is denied.
☐ A motion to modify is denied.

☐ The Court continues the hearing set for ____/____/____ (date). See Notice of Hearing.
☐ The Court cancels the hearing set for ____/____/____ (date).
☐ On Plaintiff's motion, the Court dismisses the protective order listed above.

At time of hearing:

Plaintiff: ☐ Appeared ☐ Failed to Appear but did not have Notice ☐ Failed to Appear but had Notice
Defendant: ☐ Appeared ☐ Failed to Appear but did not have Notice ☐ Failed to Appear but had Notice

☐ The Court dismisses the protective order listed above.
☒ ☐ A protective order is denied.
☐ A protective order is granted. ☐ Brady applies. (18 USC § 922(g)(8)).
☐ The protective order listed above remains in effect. ☐ Brady applies. (18 USC § 922(g)(8)).
☐ As attached, the Court modifies the protective order listed above. ☐ Brady applies. (18 USC § 922(g)(8)).

Date _____ Printed Name _____
Judicial Officer

CERTIFICATE OF TRANSMITTAL

Copy *revised* mailed ☐ provided personally to Plaintiff on ____/____/____
Copy ☐ mailed ☐ provided personally to Defendant on ____/____/____ by _____


order of protection Inbox Star




[Redacted] [Redacted] EDocum... [Redacted] [Back] [More]
to me, [Redacted] ▾

Dear [Redacted]

Judge [Redacted] has ruled on and denied this petition on [Redacted]. You may submit another petition with your filings at any time.

Thank you.



 [Redacted].pdf  



| | | |
|-------------------------------------|----------|--|
| Plaintiff v Defendant | CASE NO: | HEARING ORDER <input checked="" type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Injunction Against Workplace Harassment Issued Date: |
|-------------------------------------|----------|--|

- ☒ The request for:
☒ A protective order is ☐ granted ☒ denied ☐ withdrawn. Reason: No proof of allegations, no threat of harm from Defendant to Plaintiff, no harm and/or dangerous event has taken place within the past 12 months. Petition and testimony included "accusations" and not facts or harm caused/threatened.
☐ A hearing is denied.
☐ A motion to continue is denied.
☐ A motion to modify is denied.
- ☐ The Court continues the hearing set for ___/___/___ (date). See Notice of Hearing.
☐ The Court cancels the hearing set for ___/___/___ (date).
☐ On Plaintiff's motion, the Court dismisses the protective order listed above.

At time of hearing:

Plaintiff: ☒ Appeared ☐ Failed to Appear but did not have Notice ☐ Failed to Appear but had Notice
Defendant: ☐ Appeared ☐ Failed to Appear but did not have Notice ☐ Failed to Appear but had Notice

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☐ As attached, the Court modifies the protective order listed above. ☐ Brady applies. (18 USC § 922(g)(8)).

Date

Judicial Officer

Printed Name

CERTIFICATE OF TRANSMITTAL

Copy ☒ mailed ☐ provided personally to Plaintiff or
Copy ☐ mailed ☐ provided personally to Defendant on ___/___/___ by _____

**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.**