

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-428

Judge:

Complainant:

ORDER

July 5, 2023

The complainant alleged a city court judge improperly issued 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).

Copies of this order were distributed to all appropriate persons on July 5, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2022-428****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.

To WHOM IT MAY CONCERN,

I,

AND MY WIFE

MOVED TO ARIZONA IN 1985 TO HELP TAKE CARE OF
MY PARENTS BOTH 75 YRS OLD. MY MOTHER WAS RAPIDLY DECLINING
FROM AND MY FATHER WAS IN A HORRIBLE CAR
ACCIDENT IN 1986 WHEN A SEMI RAN INTO HIM ALMOST HEAD ON.
MY MOTHER WANTED ME OUT OF THE HOUSE AND BECAME MORE
AGGRESSIVE EVERYDAY. MY FATHER WOULD DO WHATEVER MY MOM
WANTED SO HE DEvised A plan to put us out of THEIR HOME
STARTING WITH A PROTECTION ORDER BASED ON LIES.

A PROTECTION ORDER WAS GRANTED ONLY HEARING
MY PARENTS SIDE OF THE SITUATION. A COUPLE OF
WEEKS LATER ON WE WERE IN COURT TO
EXPLAIN AS I ASKED THE COURT TO BE ABLE TO STATE MY
SIDE OF THE STORY.

WHEN WE WERE ALL PRESENT IN FRONT OF JUDGE
HE ASKED IF WE WANTED TO PROCEED FOR HE HAS NEVER
SEEN A CASE WHERE BOTH PARTIES TREATED EACH OTHER
WITH SUCH RESPECT AND KINDNESS. MY FATHER SAID
YES, AND I REPLIED NO.

WITH HEADPHONES ON I TOLD THE JUDGE THAT

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I spent AND A NIGHT IN JAIL OVER KISSING
my FATHER ON THE FOREHEAD. THE CASE WAS DROPPED
by THE PROSECUTOR.

IF ONE WOULD LISTEN TO THE RECORDING OF THE
JUDGE TO THE DISPATCHER, HE TALKS ABOUT HIS DINNER
BECOMING COLD ON HIS TABLE AT HOME WHILE HE HAS TO
DEAL WITH ME.

I ALSO HAVE A RECORDING ON MY WIFE'S PHONE
OF MY FATHER STATING HOW TERRIBLE AND WRONG
THAT WAS OF THE JUDGE'S ACTIONS. MY FATHER
WAS VERY SORRY AND REMORSEFUL, THIS RECORDING WAS
THE DAY I WAS RELEASED FROM JAIL.

THINKING BACK TO THE INCIDENT, I VIOLATED
HIS PROTECTION ORDER UPON ENTERING THE SAME
ROOM AS MY FATHER IN COURT.



Plaintiff _____ v. _____ Defendant _____		Case No. * THIS ONE I THINK	NOTICE OF HEARING <input checked="" type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Injunction Against Workplace harassment
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Date: _____ Location/Courtroom: _____
 Time: _____ COURTROOM

At this hearing, Plaintiff and Defendant will be permitted to present testimony and evidence to the court.
DEFENDANT'S WARNING: If you fail to appear at this hearing, a protective order may be issued against you as requested by the plaintiff.

Date _____ Clerk _____

CERTIFICATE OF TRANSMITTAL

Notice ☐ mailed ☐ provided personally to Plaintiff on _____ by _____
 Notice ☐ mailed ☐ provided personally to Defendant on _____ by _____

DEFENDANT'S MAILING ADDRESS: _____ DEFENDANT'S WORK ADDRESS: _____

Telephone Number: No Phone# Found

Defendant Description:

Sex	Race	Birth Date	Height	Weight	Eyes	Hair	Driver's License No. & State

		Courtroom:
State of Arizona vs.	Case Number	Release Conditions
CHARGES: <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div>		Booking#: DOB:
<p>[X] IT IS ORDERED that defendant be released, provided that he/she comply with the standard conditions of release and all other conditions listed below.</p> <p>IF IN-CUSTODY, the Defendant will be transported to the in-custody courtroom at _____ on:</p> <p>IF RELEASED, Defendant shall appear on :</p> <p style="text-align: center;">At: Courtroom: _____ at the _____ Court. Court Setting: Pretrial</p> <p>During the pendency of this case, Defendant will:</p> <ol style="list-style-type: none"> (1) Appear to answer and submit to all further orders and processes of the Court. (2) Not commit any criminal offense and remain law-abiding. (3) Notify the Court of any change of address and telephone number and not leave the state without permission. (4) If released during an appeal, prosecute the appeal with due diligence. 		
<p style="text-align: center;">OTHER CONDITIONS OF RELEASE</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Appearance Bond</p> <p>Bond Amount:</p> <p>Restrictions on Travel, Association or Place of Abode and other Conditions</p> </div> <div style="width: 40%;"> <p>Defendant will execute an appearance bond approved by the Court and binding defendant to pay the _____ in the event that defendant fails to comply with these conditions.</p> <p>Do not contact: alleged victim by telephone, in writing, mail or e-mail, through social media, in person, or through a third person.</p> </div> <div style="width: 30%;"> <p>Abide by any valid order of protection or injunction prohibiting harrassment.</p> </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>DEFENDANT TO READ AND SIGN</p> <p>You have the right to be present at your trial and other proceedings in your case. If you fail to appear as required, the trial or proceedings may be held without you, any appearance bond posted may be forfeited, and a warrant for your arrest may be issued.</p> <p>I PROMISE TO APPEAR AS DIRECTED</p> <p>Defendant's Signature _____</p> </div> <div style="width: 35%;"> <p>Date: _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Telephone _____</p> <p>Home _____ Work _____</p> <p>New Address? Yes No</p> </div> </div>		