

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-480

Judge:

Complainant:

ORDER

August 28, 2023

The complainant alleged improper legal rulings by a superior court judge hearing a civil 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 Denise K. Aguilar and Louis F. Dominguez did not participate in the consideration of this matter.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-480

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.

I, _____ daughter and POA for _____ (a Protected Person) filed in the _____ County _____ (Judge _____ presiding), a Petition for Guardian and Conservator for _____ s _____ was progressing and many parties exploited her in the past and were still presently exploiting her. _____ was my legal Counsel. _____ and _____), by their attorney, _____, Object to the Petition. Parties opposing _____ rights to 3rd party G/C protection in her Jurisdiction of Arizona, reside in _____

G/C Investigator produced a Report that contained ongoing outrageous lies against _____ One of the many lies by _____ was that _____ was reported to _____ numerous times for "abusing" her mom, _____ and the reports were "Substantiated". The factual truth was that _____ had premeditated plans to report _____ for " _____ " until she was " _____ " (POA and Trustee).

Judge _____ issued an Order that _____ was under the Jurisdiction of _____ County, that there were no G/C proceedings in _____ and that _____ should be granted a 3rd party neutral Fiduciary for her protection. Judge _____ also stated his present retirement and the need to assign the case to an alternate Judge. *Judge _____ was substituted.*

Emergency Guardianship Hearing. _____ by her attorney _____ Petitioned for Emergency Guardianship after learning that _____ (acting as Health Care POA) moved _____ from her _____ year residence at _____ to _____ where she was then prescribed LETHAL levels of _____ is known to be LETHAL with elders with _____. The _____ was more than quadrupled to deal with _____'s increased _____ from a new and unfamiliar residence. _____ is a powerful Antipsychotic medication with serious side effects, and it is not prescribed for _____. _____'s attorney, _____ on _____ sent a letter to _____ attorney, _____ regarding the urgency of intervention. In addition to the medical abuse of _____ at the hands of _____ and _____ the Court was informed that _____ was abusing her HCPOA by ordering that _____ have no contact with her mom. _____ reported false abuse to multiple parties and then ordered No Contact for over a year.

Judge _____ stated (_____ Emergency Guardianship Hearing (on _____ & Pa _____)
THE COURT:"

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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.

Despite these statements by Judge _____, _____ was allowed to prevent all contact between _____ and _____ from _____ to _____; and again from _____ to _____.

In _____, _____ was called by _____ (_____) to be informed that her mom was " _____". _____ was then allowed a _____ supervised visit and then again sent away so that _____ could be with her " _____" as she was allegedly dying. _____ did not die. _____ has endured nearly a year of "supervised" limited contact with her mom, despite _____'s Injunction for False Reporting and despite evidence presented to Judge _____ that _____ and _____ have been instrumental in the extreme Dissipation of _____'s assets, and their manipulation with _____'s beneficiary designations, in the millions of dollars to their great profit and _____ great loss.

_____ amended the Petition for G/C for _____ to appoint a THIRD-PARTY G/C. _____ and _____ again Object to _____ Petition.

_____ was granted an Injunction against _____ for Harassment via premeditate false reporting of abuse (by _____ onto _____) to _____ and other entities. Judge _____ presided.

_____ by her attorney _____ filed a Motion to Strike the Investigator's Report. The Court, Judge _____, denied this Motion.

_____ after altering the GC Petition to a 3rd party and after notifying Judge _____ about injunction, again asked for a new Investigation Report, stating that the Investigation should focus on the parties that have control over _____ and her finances (_____ and parties in _____) and _____). Judge _____ continued to deny the request for an update non-fraudulent investigation report.

_____ filed a Motion to Continue with the Court to allow sufficient time for Discovery before the G/C Trial scheduled for _____.

(_____) refused to turn over Annual Accounting due on _____ (_____) to be used as Evidence at the _____ G/C Hearing. Judge _____ denied the Motion to Continue so that _____ (_____) could be compelled submit the Annual Accounting. Judge _____ then on _____, ruled that due to _____ "failure" to supply evidence for the Court to appoint a 3rd party Conservator, DENIED the Petition for 3rd Party Conservator as a Matter of Law.

Additionally on _____, Judge _____ denied _____ petition for a 3rd party Guardian for _____ and allowed _____, with an Injunction for Harassment for False Reporting, and

Continued on attached Documents

COMPLAINT AGAINST HON.

Timeline of Legal Proceedings for the Petition of 3rd Party Guardian and Conservator for , a Protected Person

1)

I, , daughter and POA for (a Protected Person), filed in the County (Judge presiding), a Petition for Guardian and Conservator for was progressing and many parties who exploited her in the past were still presently exploiting her.

was my legal Counsel. and (), by their attorney, , Object to the Petition.

2)

, G/C Investigator produced a Report that contained ongoing outrageous lies against . One of the many lies by was that was reported to numerous times for "abusing" her mom, , and the reports were "Substantiated". The factual truth was that had premeditated plans to report for "abuse" until she was " (POA and Trustee).

3)

Judge issued an Order that was under the Jurisdiction of County, that there were no G/C proceedings in , and that should be granted a 3rd party neutral Fiduciary for her protection. Judge also stated his present retirement and the need to assign the case to an alternate Judge. Judge was then appointed to preside over the case.

4)

Emergency Guardianship Hearing. , by her attorney , Petitioned for Emergency Guardianship after learning that (acting as Health Care POA) moved from her year residence at to , where she was then prescribed lethal levels of is known to be lethal to elders with . The was more than quadrupled to deal with increased from a new and unfamiliar residence. is a powerful Antipsychotic medication with serious side effects, and it is not prescribed for . attorney, , sent a letter to attorney, , regarding the urgency of intervention.

In addition to the medical abuse of at the hands of and , the Court was informed that was abusing her HCPOA by ordering that have no contact with her mom. reported false abuse to multiple parties and then ordered No Contact for over a year.

Judge	stated (Emergency Guardianship Hearing (pg	& Pg
)			

THE COURT:

Despite these statements by Judge [redacted] and [redacted] from [redacted] to [redacted] In [redacted] [redacted] was called by [redacted] ([redacted]) to be informed that her mom was “ [redacted] ”. [redacted] was then allowed a [redacted] supervised visit and then again sent away so that [redacted] could be with her “family” as she was allegedly dying. [redacted] did not die. [redacted] has endured nearly a year of “supervised” limited contact with her mom, despite [redacted] Injunction for False Reporting and despite evidence presented to Judge [redacted] that [redacted] and [redacted] have been instrumental in the extreme Dissipation of [redacted] assets, and their manipulation with [redacted] beneficiary designations, in the [redacted] millions of dollars to their great profit and [redacted] great loss.

5)

G/C, amended the Petition for G/C for to appoint a THIRD-PARTY
and again Object to Petition.

6)

obtained an Injunction against abuse to and other entities. Judge for Harassment via premeditate false reporting of presided.

7)

_____, by her attorney _____, filed a Motion to Strike the Investigator's Report. The Court, Judge _____, denied this Motion.

, after altering the GC Petition to a 3rd party and after notifying Judge [REDACTED] about injunction, again asked for a new Investigation Report, stating that the Investigation should focus on the parties that have control over [REDACTED] and her finances ([REDACTED] and parties in [REDACTED] ([REDACTED]) and [REDACTED]). Judge [REDACTED] continued to deny the request for an update non-fraudulent Investigation Report.

8)

filed a **Motion to Continue** with the Court to allow sufficient time for Discovery before the G/C Trial scheduled for . (pg & pg)

, **Motion to Continue** (attached), particularly the #1 (lines) that reads: “

”.

() refused to turn over Annual Accounting due on (Stat) to be used as Evidence at the , G/C Hearing. Judge denied the Motion to Continue so that () could be compelled submit the Annual Accounting.

Judge then on , ruled that due to “failure” to supply evidence for the Court to appoint a 3rd party Conservator, DENIED the Petition for 3rd Party Conservator as a Matter of Law.

Additionally on , Judge denied petition for a 3rd party Guardian for and allowed , with an Injunction for Harassment for False Reporting Abuse, to acts as HCPOA, denying the appointment of a Guardian in County.

9)

Atty drafts multiple Motions to Withdraw as legal Counsel due to his inability to provide proper Discovery without the necessary accounting of assets. does not file said Motions, and instead files a fraudulent Motion to Withdraw stating that a “ exists because “ ”.

10)

The G/C Trial commenced at on . Judge began by accusing of “lying” to the court, adding that “ ” that “ , as a means to manipulate and delay Court proceedings.

As seen in the Court’s Transcripts, Judge statements to were the following:

“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.**