State of Arizona

COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-042

Judge:

Complainant:

ORDER

January 12, 2024

The Complainant alleged improper legal rulings and violation of rights by a superior court commissioner 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 member Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 12, 2024.

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

FOR OFFICE USE ONLY

2023-042

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. years old. I have never been charged, much less convicted, of a felony, misdemeanor or even a llam petty offense as my best memory serves me. I have never been imprisoned before in my life. I am a grandfather of a veteran and an immigrant. Court Judge imprisoned me in a debtors' prison for the sole purpose of County extorting my family to pay a money debt stemming from an assessment of attorney's fees in a civil case. The money debt was owed to and their lawyers, and At the time, was owned by and both local County residents. (Collectively " Collection of money debt after an award of attorney's fees in a civil action through coercive imprisonment is unconstitutional in Arizona. Judge was fully briefed on this issue; he is fully aware. Judge received uncontroverted oral and documentary evidence that I was unable to pay the debt. Judge was fully aware that if I were imprisoned for a debt, the debt would be paid by my family or friends. The method and manner of this extortion is criminal: I filed a Notice of Appeal. Accordingly, the following events were taken by Judge On in absence of all jurisdiction. lOn Judge Judge ordered me to appear in on order for appearance stated a "-On the following day, also signed a clandestine Civil Arrest Warrant for Judge my appearance on . It stated, in part, " (Emphasis in original.) I was unaware of this clandestine civil arrest warrant until after I was imprisoned; Judge never served a copy of this clandestine Warrant on me, I appeared in person before Judge (not knowing about Judge On "appearance" bond, Judge clandestine Warrant). Even though I appeared and satisfied the had me imprisoned. As it turned out, this was not an "appearance" bond at all. It was money extorted from my family to pay the As anticipated, my family came to my aid and my son,) paid the bond, in cash. I was released the following day. Since the bond was denominated as "appearance" bond "appearance" bond securing my appearance on my son inquired where the would go. The Clerk responded, '

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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.

Subsequently, the	openly admitted that the entire	openly admitted that the entire imprisonment process was designed to			
extort my family. In	his Application for payment of Bond, the	openl	y instructed Judge		
to distribute the	"appearance" bond as follows:	to the	and	to	
me.					

was briefed on the constitutionality of debtor's prison numerous times. Judge was Judge Court decision outlawing the contempt process to collect a judgment debt. Judge aware of the was briefed on Art. II, § 18 of the Arizona Constitution prohibiting imprisonment for debt. There is a constitutional and absolute prohibition on what Judge did. He was clearly aware that contempt citation is only available pursuant to A.R.S. §12-1556 relating to performance of acts other than payment of money. Judae used the enormous power of his office to extort the money from my family on behalf of the . Judae issued "findings of fact" that lacked even an iota, or even a syllable, of truth or evidentiary support. Even though he knew the law, Judge intentionally disregarded it. Judge single handedly destroyed public confidence in the judiciary. He abused the prestige of his office by acting as a strong arm collection agent for the He was openly He was openly biased and prejudicial. The order of imprisonment he signed partial to the was designed to force my family to succumb to his coercion and collect the judgment debt for the Ultimately, he was successful in this endeavor. Judge violated every conceivable cannon

of Arizona's Code of Judicial Conduct.

Indeed, with Judge coercive extortion of me and my family, he has opened the door to any civil litigant going to jail if they are unable to pay a money judgment.

Judge not only breached the standards of his office, but, along with the , committed crimes.

I am available to provide any detail of this sordid affair informally or through a sworn deposition. My son, who was present at the hearing at which I was incarcerated and was the person who paid the "Appearance Bond," can also be reached to provide testimony.