

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-131

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Judge:

Complainant:

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**ORDER**

September 22, 2023

The complainant alleged a superior court commissioner made improper legal rulings and failed to follow the law when 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, Barbara Brown, and Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 22, 2023.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2023 - 131**

**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 am the Plaintiff-Creditor in the \_\_\_\_\_ Court ("\_\_\_\_\_"), Case: \_\_\_\_\_ ("case").  
I am not an attorney and am proceeding as a normal man.

I won a default Judgment against Defendant \_\_\_\_\_ ("\_\_\_\_\_") in said case in \_\_\_\_\_  
was sued for lying to the \_\_\_\_\_ Department in the fall of \_\_\_\_\_, which led to my arrest and  
multiple violations of the law, rules and my rights by the organizations and individuals leading to my  
prosecution by \_\_\_\_\_ County.

In the fall of \_\_\_\_\_ retained the services of a bankruptcy attorney named \_\_\_\_\_ in  
in order to have my Judgment discharged in the \_\_\_\_\_ Court in Phoenix.

To prevent my Judgment from being discharged, I filed an adversarial proceeding in the said  
Court, case \_\_\_\_\_

\_\_\_\_\_ bankruptcy was stalling in the \_\_\_\_\_ Court. So, \_\_\_\_\_ Attorney \_\_\_\_\_ came up with a  
strategy to go the \_\_\_\_\_ and try to have the default Judgment thrown out.

\_\_\_\_\_ Motions went before Commissioner \_\_\_\_\_ main argument was that \_\_\_\_\_ had  
not been properly served. \_\_\_\_\_ also presented unrelated prejudicial evidence that had nothing to do with  
my \_\_\_\_\_ complaint. \_\_\_\_\_ and \_\_\_\_\_ also submitted a self serving Affidavit stating that \_\_\_\_\_ was  
scared of the Plaintiff. It should be noted that the Affidavit was the first time \_\_\_\_\_ had made any type of  
sworn statement. In \_\_\_\_\_ never made sworn statements to the Police and never appeared before  
a Grand Jury. \_\_\_\_\_ only sworn statement was made \_\_\_\_\_ years after the Plaintiff was arrested.

I countered that \_\_\_\_\_ had made at least \_\_\_\_\_ General Appearances in my original \_\_\_\_\_ case and that  
courts of many Jurisdictions, including Arizona have ruled that making a General Appearance relieves the  
Plaintiff of service issues.

Comm. \_\_\_\_\_ ruled in favor of \_\_\_\_\_ by a minute entry. In \_\_\_\_\_ minute entry, \_\_\_\_\_ never  
countered or mentioned any points made by the Plaintiff and instead just echoed \_\_\_\_\_ motion.  
stated that the Plaintiff didn't mention anything (or something to that effect).

A few months after \_\_\_\_\_ ruling, the Plaintiff filed a motion to strike all of \_\_\_\_\_ filings in the original  
case and to re-instate the default Judgment against \_\_\_\_\_. The Plaintiff pointed out that  
attorney, \_\_\_\_\_ never entered a Notice of Appearance in the original \_\_\_\_\_ Case as required by the  
Court's own rules. In \_\_\_\_\_ of \_\_\_\_\_ had filed a Motion to dismiss the Plaintiff's original  
case and in said motion stated that she was acting on her own, without an attorney. Further, the Plaintiff  
claimed that \_\_\_\_\_ violated the Bar's Ethics and Morals by submitting a motion to dismiss in the  
Case when he should not been allowed to do so because Bankruptcy and the \_\_\_\_\_ Court Rules create  
an automatic stay in the \_\_\_\_\_ when an \_\_\_\_\_ Judgment is subject to discharge in the  
Court.

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Comm, ruled against the Plaintiff's Motion to strike Filings and to re-instate the Plaintiff's  
 default Judgment. ruling lacked articulation and minute entry stated that Plaintiff did  
 not mention anything new, even though it was clear on it's face that the Plaintiff did mention new  
 discoveries.

Individuals Involved:

Plaintiff  
 , Defendant  
 Attorney for  
 Comm.: (Comm. Complaint is being made against)  
 Bankruptcy Judge

Case No.:

Dates:  
 to

Ref.: Case record and File No.: