

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-137

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Judge:

Complainant:

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**ORDER**

September 22, 2023

The complainant alleged a superior court judge rolled his eyes at him and did not listen to him.

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, Louis Frank Dominguez, and Joseph C. Kreamer did not participate in the consideration of this matter.

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

2023-137

**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 victim of a fraud -white collar crime.

In a former employee frauded my company, stole products and resold them pretending being me, the business owner. The victim's advocate helped to navigate me through this process. had convinced me to write a letter to the judge and that, at some point during the procedure, I will have an opportunity to talk to the judge. I prepared my self for that moment and had drafted multiple letters before being comfortable with presenting the final version. On that day that I was allowed to speak to the judge, I wanted to explain to him how the fraud scheme that was orchestrated against me played out. Yes, there are stolen units but it is much more complex because the Defendant spent so much time covering his tracks not to get caught by destroying files, paperworks and deleting complete database from our system. This was only possible to do by bullying other internal employees to a point where they resigned leaving free range of execution for a bad intentioned person. This is the summary of what I was trying to explain.... however. seconds after I got started (it was shortly after Covid so it was through a remote video call) rolled his eyes at me, followed by a deep breath showcasing being completely annoy!

Seeing this, I was shocked and disbelief. I lost my thought process and started to talk in circle. The one moment I had to explain my case when down south real fast. MY ONE MOMENT WAS GONE. After the session, I immediately brought this to the attention of the Prosecutor . She said that she has rolled her eyes once with and got reprimanded because he did not like that.

What happened to: Leading by example? or what is good the geese is good for the gander? Had I been allowed to fully execute what I came prepared to do, yes, the outcome would have been different. My first and only experience of criminal justice is above and beyond disappointing. All I see are areas of improvement of the entire system. Going through prosecutors in years (how do you expect to come up on top which such churning !? You can't. A judge who rolls his eyes in lieu of listening go hand and hand with that. The justice system is NOT what I expected. Is it a tough job to be a judge. yes, but it is a job. Other than rolling his eyes and interrupt me at the ONLY moment I had, missed out of several important points or maybe, years on the bench made him immune and non receptive.

-I provided evidence of being threatened by a customer who bought a fraudulent product from a fraudulent transaction... and I had to hire attorney to defend me. NO CONSIDERATION TAKEN

-I provided evidence of existing employee' s time spent to help the detective in creating a case against the Defendant... NO CONSIDERATION TAKEN

-I provided evidence of misuse of the company' credit card (unapproved expenses)... NO CONSIDERATION TAKEN

-What about my time going through court and all the paperwork? Why are the attorneys getting paid and not the victim?

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In the final judgment, the worst insult came from the judge: " " " "

" " "

Really ?  
GIVING THE VICTIM THE RIGHT TO TALK TO THE JUDGE WITHOUT HIM ROLLING HIS EYE  
WOULD HAVE BEEN A GIVEN... .. Instead, I got more than years choppy sessions that drags and go  
nowhere combined with huge delays. What do you expect to gain out of this? Probably only more  
billable hours from the Defense attorney.

In the end, the justice system is broken. The judges are broken and failed to show they care and please  
do not send any satisfaction survey up until the case is completely over.  
An employee who does a great job is and employee who cares. This should apply to judges too.

In the end, I was awarded restitution... too little too late and the judge could not care less of all the  
damages I suffered and provided evidence for.'

To sum up, I lost complete confidence in the judge and in the system. When the population feels there  
is no justice, it becomes dangerous for a community. For one, a previously convicted felon understands  
what can/cannot be done moving forward based on his assessment of the system and what you can get  
away with. For seconds, the victim realizes that there is no justice and this fully theoretical concept was  
created to fools people in a democracy. It is certainly worth addressing the long term effects of such  
system. I found not credible and showcasing insufficient knowledge of the multi skills set  
required to fulfill his job.