

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-161

Judge:

Complainant:

ORDER

September 29, 2023

The complainant alleged a superior court judge was biased against her and failed to look at all the evidence in a domestic relations 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 September 29, 2023.

Clerk
of the
Court

Comp

GRIEVANCE

2023-161

I am filing this grievance with Court for the following reasons. I feel as though Judge has acted with Bias and prejudice during the proceeding on and all throughout her orders to include the amended orders. Listed below are the violations that I am referring to. I am asking that the case mentioned Case No: be assigned to a higher court as soon as possible so it could be heard without Bias or prejudice. Case Law also states that when a Judge acts as a trespasser of the law, when a Judge does not follow the law, he or she then loses subject matter jurisdiction and the Judges orders are void, of no legal force affect.

Judge violated **CANON 1** (A Judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid Impropriety and the appearance of impropriety.) The Judge in this case has not as of this date looked at all the evidence submitted from the Respondent the Judge only asked for how much time he needed for the hearing and not the Respondent. The Judge never requested the information about the Respondents witnesses or any of the evidence that the Respondent submitted into evidence for the purpose of burden of proof for this case. The Judge was told that the Respondent's wife was a convicted sex offender and based her rulings as such. The Judge failed to look at all factors in this case and made a Biased judgement based on this information. The Judge in this case put sanctions on in retaliation due to the information from the Petitioner's attorneys, when in fact the information was false and the Judge did not follow Arizona Rules of Court. Judge said in open court as well as her ruling that was convicted of having sex with a year-old female, this is incorrect. The case that Judge is referring to is for a that was convicted of Attempted Sexual Conduct of a Minor case number . Furthermore, this is a breach of confidentiality, due to the use of the same information that and Judge were removed for.

Judge also violated **CANON 2** (A Judge shall perform the duties of Judicial office impartially, competently, and diligently.) The Judge in this case has not as of this date looked at all the evidence that was submitted from the Respondent that was asked of the Judge several time before the hearing to include the day of the hearing where the Judge said " Had Judge done what was asked of her, she would have seen the pattern of this case, and that should not have been brought into this case at all. The allegations that the Respondent is alleging has been happening before the Respondent got together with did not come into the Respondents life until of and in of the minor had said to the Respondent and other witnesses that his father abused him in of while on vacation with his grandparents in and visiting his father. Judge had the case at the time and advised the Respondent to contact the police in this matter, which the Respondent had done, which led to the Forensic Interview that was conducted on of . Judge advised the Respondent in of to have the Petitioner served so that the court could get to the bottom of this. In of was contacted by the Respondent via text messaging to please give the Respondent his mailing address so the Respondent could send him letters for court, (text messaging screenshots are entered into evidence). In one of the text messages the Petitioner said " .” The Respondent had to hire a process sever in to find the

Petitioner to have him served the court paperwork. The Respondent asked that her fees be reimbursed and any money that was used to get the information for this case. In the beginning of took the Petitioner on as his client in this case. immediately wanted to attack the Respondent's wife instead of defending the accusations of his client causing Acute Emotional Distress to the minor. came into this case in as the GLA for the minor and did not contact the Respondent in this case. days before the hearing in of the Respondent contacted the GLA to find out when he wanted to see the minor, to get the information needed from the minor in this case. only spent about minutes with the minor and then had the minor leave the room and attack the Respondent's wife by using information had gotten from . The hearing in of and Judge decided to attack character instead of looking at factual evidence that was submitted into the court. was removed from the proceedings due to the errors made in his paperwork and the breach of confidentiality while on this case in this case. decided to remove himself after the allegations that had gotten in trouble for. Judge then removed herself after an emergency motion for change of Judge was filed. Judge also imposed sanctions on by stating that the Respondent's wife needed to be supervised while around the minor child. At no time were there any allegations against of hurting or being a danger to the minor in this case. Judge is also saying that the Respondent is in contempt of court for not paying the Petitioners attorney fees. When in fact the Respondent put in an Emergency Motion For Clarification back in of and was denied after days had passed. Judge approved , but still did not clarify as to why the Petitioner was granted those fees and the Respondents were not, and as to where and in what form of payment was to be sent, such as a check, money order, credit card etc... Judge allowed to file the contempt of court without having the information that was just mentioned and did this in retaliation for the Respondent calling the on weeks before this.

Judge also violated **CANON 3** (A Judge shall conduct the Judges personal an extra Judicial activities to minimize the risk of conflict with the obligations of Judicial office.) The Judge in this case only asked for how much time he needed for this hearing and did not offer the same to the Respondent. The Judge allowed to attack in this case due to the information had gotten from paperwork said that was hiding her background as a , a child predator and sex offender. Judge heard the term Sex Offender and did not want to hear anything more and even put into the court paperwork that had been convicted for having sex with a year-old girl. This allegation is unfounded as well as untrue. The case that is being referred to is more than years old, has no repeat pattern and is under a different name of and convicted of Attempted Sexual Conduct with a minor. Judge also had a Biased opinion due to the fact that the Respondent is a and has a . also went as far as saying that "I" For one was not around when the allegations came to light to include when had the case back in . As of date the Petitioner has not paid for anything except for the child support that is garnished, even though the Petitioner said in open court that he would pay the counselor fees and has not.

These are the reasons for me filing my grievance with you today.

Thank you for your time,

IN THE **OF THE STATE OF ARIZONA**
IN AND FOR THE COUNTY OF

In re the Matter of:)		
)		Case No:
Petitioner,)		
And)	MOTION TO VACATE AND SEND TO A	
)	HIGHER COURT	
Respondent)	Assigned to the:	
_____		Honorable	

Comes now the Respondent in Pro Per Pro Se to give exact reason for this motion. The Respondent is asking this court to grant this motion for the following reasons.

In accordance with Arizona Rules of Family court the Respondent is asking this court to Vacate the following court date of _____ due to the Violations of **CANON 1, CANON 2, and CANON 3** and specified herein. Case Law also states that when a Judge acts as a trespasser of the law, when a Judge does not follow the law, he or she then loses subject matter jurisdiction and the Judges orders are void, of no legal force affect

Judge _____ violated **CANON 1** (A Judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid Impropriety and the appearance of impropriety.) The Judge in this case has not as of this date looked at all the evidence submitted from the Respondent the Judge only asked _____ for how much time he needed for the hearing and not the Respondent. The Judge never requested the information about the Respondents witnesses or any of the evidence that the Respondent submitted into evidence for the purpose of burden of proof for this case. The Judge was told that the Respondent's wife was a convicted sex offender and based her rulings as such. The Judge failed to look at all factors in this case and made a Biased judgement based on this information. The Judge in this case put sanctions on _____ in retaliation due to the information from the

Petitioner's attorneys, when in fact the information was false and the Judge did not follow Arizona Rules of Court. Judge _____ said in open court as well as her ruling that _____ was convicted of having sex with a _____ year-old female, this is incorrect. The case that Judge _____ is referring to is for a _____ that was convicted of Attempted Sexual Conduct of a Minor case number _____ . Furthermore, this is a breach of confidentiality, due to the use of the same information that _____ , _____ and Judge _____ were removed for. Judge _____ is also saying that the Respondent is in contempt of court for not paying the Petitioners attorney fees. When in fact the Respondent put in an Emergency Motion For Clarification back in _____ of _____ and was denied after _____ days had passed. Judge _____ approved _____ but still did not clarify as to why the Petitioner was granted those fees and the Respondents were not, and as to where and in what form of payment was to be sent, such as a check, money order, credit card etc... Judge _____ allowed _____ to file the contempt of court without having the information that was just mentioned and _____ did this in retaliation for the Respondent calling the _____ on _____ weeks before this.

Judge _____ also violated **CANON 2** (A Judge shall perform the duties of Judicial office impartially, competently, and diligently.) The Judge in this case has not as of this date looked at all the evidence that was submitted from the Respondent that was asked of the Judge several time before the hearing to include the day of the hearing where the Judge said “

” Had Judge _____ done what was asked of her, she would have seen the pattern of this case, and that _____ should not have been brought into this case at all. The allegations that the Respondent is alleging has been happening before the Respondent got together with _____ did not come into the Respondents life until _____ of _____ and in _____ of _____ the minor had said to the Respondent and other witnesses that his father abused him in _____ of _____ while on vacation with his grandparents in _____ and visiting his father. Judge _____ had the case at the time and advised the Respondent to contact the police in this matter, which the Respondent had done, which led to the Forensic Interview that was conducted on _____ of _____ . Judge _____ advised the Respondent in _____ of _____ to have the Petitioner _____ served so that the court could get to the bottom of this. In _____ of _____ was contacted by the Respondent via text messaging to please give the Respondent his mailing address so the Respondent could send him letters for court, (text messaging screenshots are entered into evidence). In one of the text messages the Petitioner _____ said “ _____ ” The Respondent had to hire a process server in _____ to find the Petitioner _____ to have him served the court paperwork. The Respondent asked that her fees be reimbursed and any money that was used to get the information for this case. In the beginning of _____ took the Petitioner on as his client in this case. _____ immediately wanted to attack the Respondent's wife _____ instead of defending the accusations of his client causing Acute Emotional Distress to the minor. _____ came into this case in _____ as the GLA for the minor and did not contact the Respondent in this case. Two days before the hearing in _____ of _____ the Respondent contacted the GLA _____ to find out when he wanted to see the minor, to get the information needed from the minor in this case. _____ only spent about _____ minutes with the minor and then had the minor leave the room and attack the Respondent's wife

by using information [redacted] had gotten from [redacted]. The hearing in [redacted] of [redacted] and Judge [redacted] decided to attack [redacted] character instead of looking at factual evidence that was submitted into the court. [redacted] was removed from the proceedings due to the errors made in his paperwork and the breach of confidentiality while on this case in this case. [redacted] decided to remove himself after the allegations that [redacted] had gotten in trouble for. Judge [redacted] then removed herself after an emergency motion for change of Judge was filed. Judge [redacted] also imposed sanctions on [redacted] by stating that the Respondent's wife needed to be supervised while around the minor child. At no time were there any allegations against [redacted] of hurting or being a danger to the minor in this case.

Judge [redacted] also violated **CANON 3** (A Judge shall conduct the Judges personal an extra Judicial activities to minimize the risk of conflict with the obligations of Judicial office.) The Judge in this case only asked [redacted] for how much time he needed for this hearing and did not offer the same to the Respondent. The Judge allowed [redacted] to attack [redacted] in this case due to the information [redacted] had gotten from [redacted] paperwork said that [redacted] was hiding her background as a [redacted], a child predator and sex offender. Judge [redacted] heard the term Sex Offender and did not want to hear anything more and even put into the court paperwork that [redacted] had been convicted for having sex with a [redacted] year old girl. This allegation is unfounded as well as untrue. The case that is being referred to is more than [redacted] years old, has no repeat pattern and is under a different name of [redacted] and convicted of Attempted Sexual Conduct with a minor. Judge [redacted] also had a Biased opinion due to the fact that the Respondent is a [redacted] and has a [redacted] wife. [redacted] also went as far as saying that “

” For one [redacted] was not around when the allegations came to light to include when [redacted] had the case back in [redacted]. As of date the Petitioner has not paid for anything except for the child support that is garnished, even though the Petitioner said in open court that he would pay the counselor fees and has not, the bills for this were sent to [redacted] office and to the Petitioners address from the counselor.

In closing your honor, the Respondent is asking that this case be transferred to a higher court where the violations will not continue. The minor in this case has not had the chance of being heard without the Bias from the judges, nor the attorneys on this case. At no time did [redacted] (GLA), nor [redacted] prove that the Petitioner [redacted] did not cause Acute Emotional Distress to the minor child. The sanctions that were placed on [redacted] should be dismissed due to the violations from Judge [redacted] and Judge [redacted] as they are unfounded. A grievance is being filed as well due to the continued violations from this court. Case Law also states that when a Judge acts as a trespasser of the law, when a Judge does not follow the law, he or she then loses subject matter jurisdiction and the Judges orders are void, of no legal force affect especially violations of **CANON 1, CANON 2 and CANON 3**. Copies of the forgoing are also going to be included in the Grievance as well as the complaint to the [redacted] office, [redacted] and the [redacted].

**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.**