

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-165

Judge:

Complainant:

ORDER

March 21, 2024

The Complainant alleged a justice of the peace violated the rules of ethics in multiple ways in an injunction against harassment 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 judge was fairly new to the bench at the time of the hearing in the underlying case. After receiving notice of the complaint, the judge voluntarily sought additional training and met with a panel of Commission members to discuss the hearing and ways to improve her bench techniques. Thereafter, 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 Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 21, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-165

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.

BACKGROUND

_____ filed a false affidavit with the court in her protective order against me, so I contested it and requested a hearing to have the order dismissed. That hearing took place today.

COMPLAINTS

1. _____ allowed the plaintiff to orally file an amended complaint containing all kinds of new and different sets of alleged incidents and facts than in the original affidavit.
2. _____ encouraged the plaintiff to present an entirely different accounting, consulting with her friends numerous times, which I was not prepared for, and included numerous lies.
3. _____ allowed the plaintiff to present completely new testimony of events happening beyond a year ago, also containing numerous lies.
4. When I was at the stand, the judge asked if I had any questions for the plaintiff. Although the plaintiff, in her new orally amended Petition she had just entered, did not mention at all the incident from Appendix B, that was one of the more pertinent areas I had a question about, since I never solicited a _____ officer to obtain the plaintiff's information from _____. I therefore asked the plaintiff why she thought I had solicited a _____ officer for her information from _____. _____ not only blatantly testified on behalf of the plaintiff, but lied to her own court as well, saying I had written in my request to contest the order that I had contacted a _____ officer for the plaintiff's information from _____. Why would I agree with the plaintiff in my own request to contest the plaintiff's order? That was false and I stated such. _____ argued with me and said she was not stupid, but she clearly is.

VIOLATIONS

1. The rule of the original petition (Form _____ is violated, which states in Section 4: "If there is a contested hearing, a judge can consider only what you write here."
2. Rule 38(d) is violated, since nothing was provided in writing to me and I was given no choice of options on how to proceed as stated in 38(d)(2).
3. Basic rules of ethical conduct were violated.
4. _____ violated her own Oath by lying to the court.

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Request - enclosure

I only became aware of the details of _____ harassment and what her involvement was on _____ and was thus granted an IAH against her on _____ along with 2 others she supports, in _____ and _____. I hadn't contacted the plaintiff for years but, in an ongoing effort, along with these 2 others, she has been spreading a false narrative and hatred against me, causing countless people to mistreat me, severe mental suffering requiring medical treatment and counseling, and, with this latest revelation on _____ a reasonable fear of death.

I documented the beginning of this bigoted, homophobic harassment against me in my original petition, but it was removed since only the last year of incidents are considered, which I was not aware of at the time. Yet her granted petition and affidavit includes: "_____"
Why is that? That seems biased. It's additionally false as I never have threatened her nor committed any violence. I have certainly insulted her, but that's because she's a bigot, had mistreated me as such, and thus already posed a threat to my existence.

I don't know who _____ friends are but I had asked some people I thought were trustworthy if they knew her address for the service of the order, not for my knowing. _____ owns property anyway so her address is public information.

I have not been engaging in a course conduct against _____ that even remotely resembles "_____", on social media or otherwise. The only stalking going on here is from her and the others and it has been reported as such to the police and FBI. I reached out to a friend who is a _____ to see if he had any advice for me. Since _____ and the 2 others have been spreading and supporting a narrative about me that includes being a "_____" with "_____", I had asked if he could verify the existence of any such reports. At that time he informed me, "

_____ " That's the first and only mention of "_____" in my life as I've never heard of such before, and I never brought up my request to him again. I never once asked him to look up information on _____ and I have a copy of our entire conversation, which he deleted after I asked him about _____ IAH. I'm not sure how _____ came to know/believe that or where "_____" came from as I'd assume a _____ Officer would know better than to share information about a victim with a suspect or related.

I would also request a remote video or telephonic hearing as I do have a granted IAH against her as well, and do not want to potentially be in her presence outside the safety of the court. Thank you.

County Justice Court Court

Plaintiff _____ v. Defendant _____	Case No. _____	REQUEST: <input type="checkbox"/> Hearing <input type="checkbox"/> Modify Order <input type="checkbox"/> Cancel Hearing <input checked="" type="checkbox"/> Dismiss Order <input type="checkbox"/> Continue Hearing OP/IAH/IAWH Issue Date: _____
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- Defendant.** I am the **Defendant**, and I am asking the court:
- for a hearing to contest all or part of the protective order. See **Note to Defendant** →
 - to cancel the hearing I previously asked for in this case.
 - to continue the hearing scheduled on ___/___/___ (date).

Address ▶ _____

Phone ▶ _____

Email ▶ _____

NOTE TO DEFENDANT: Under federal law, certain conditions can cause you to be prohibited from possessing firearms while an Order of Protection is in effect. The conditions are:

(1) You and the plaintiff are married to each other (past or present), live together as intimate partners (past or present), or are parents of a child in common, and

(2) there is a hearing of which you received actual notice, at which you had an opportunity to participate (even if you fail to attend), and the Order of Protection is affirmed or modified at the hearing.

If you have questions about hearings and state and federal firearms prohibitions, you should contact an attorney. The court cannot give you legal advice.

- Plaintiff.** I am the **Plaintiff**, and I am asking the court:
- to modify (change) my protective order.
 - to dismiss my protective order.
 - to cancel the hearing set prior to issuance of this protective order.
 - to continue the hearing scheduled on ___/___/___ (date).

Defendant or Plaintiff, list the reasons for your request or what you would like the court to modify.

affidavit, specifically section 4 detailing the alleged incidents of harassment, is false and constitutes perjury. I'm interested to see the evidence, likely fabricated if any, she has to support her affidavit. _____ is a bigot and has been harassing me for nearly 9 years, publishing false & defamatory statements, and working with and supporting others doing the same, putting me in danger. (Continued on enclosed page, please)

▶ Date _____

▶ _____
Requesting Person's Signature

Interpreter Services. I need interpreter services for _____
Language

For court use: CERTIFICATE OF TRANSMITTAL

Copy mailed emailed provided personally to **Plaintiff** on ___/___/___ by _____

Copy mailed emailed provided personally to **Defendant** on ___/___/___ by _____

