

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-344

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Judge:

Complainant:

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**ORDER**

February 20, 2024

The Complainant alleged a superior court commissioner improperly issued an arrest warrant in a criminal case based upon false evidence.

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 Michael J. Brown and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 20, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2023-344**

**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.

**ARIZ. R. CRIM. P. 5.4 (b) Lack of probable Cause**

should have dismissed  
my initial arrest warrant for lack of probable  
Cause.

The County prosecutor dropped all  
of the charges I originally was facing.

The evidence in my case whether it is felonies  
or misdemeanors should have not been brought  
to the level of a crime being committed.

The County prosecutor got it right.  
Police and Court have made a huge  
law enforcement and judicial error.

I am giving the Arizona Commission on Judicial Conduct  
all of the discovery in my current pending cases.

To: Arizona Commission on Judicial Conduct

FROM:

RE: Review of \_\_\_\_\_ &

On \_\_\_\_\_ I was arrested by the \_\_\_\_\_ Police Department. I was originally charged with \_\_\_\_\_ to felonies, ranging from Assault to Aggravated Assault with a deadly instrument/weapons, Aggravated Assault/Special Incident, Aggravated Assault/ Endangerment, and many others. There were also LETHALITY assessments added to my original charges. I was in an Arizona jail for about \_\_\_\_\_ days. What happened next was the \_\_\_\_\_ County Prosecutor declined to bring charges against me for any of the dozens of felonies I was alleged to have committed by \_\_\_\_\_ and the \_\_\_\_\_ Police Department. Why did they refuse to bring charges against me? I can only assume that they looked at the evidence and realized that in the field of law and scientific research, evidence is classified based on its strength and reliability. The weakest type of evidence is considered circumstantial evidence.

Circumstantial evidence refers to a series of facts or events that suggest a conclusion or inference but do not directly prove it.

\_\_\_\_\_ stated, which was reported in her Probable Cause Statement, that on \_\_\_\_\_ I tried to burn her with a blow torch. She said she could feel the heat and I chased her as the flame was active. She also stated that during the supposed attack the flame got close to her eye. \_\_\_\_\_ went on to state

that I chased her daughter with the blow torch. \_\_\_\_\_ daughter was interviewed and stated I chased her with a blow torch. This was a lie told by her daughter. Next, the report states that \_\_\_\_\_ estimated the blow torch got within \_\_\_\_\_ to \_\_\_\_\_ inches of her. Next, the report states that \_\_\_\_\_ provided photos of an injury next to her left eye consistent with her story of being burned. In \_\_\_\_\_ of \_\_\_\_\_ she supplied pictures of an incident that allegedly took place \_\_\_\_\_ months prior. If you get the time stamp of that picture and GIO location the dates and location will not add up to allegations.

\_\_\_\_\_ said this was one of the most lethal cases she had seen in her career. I can only assume she was referring to \_\_\_\_\_ lying to the \_\_\_\_\_ and the \_\_\_\_\_ that I chased her with a blow torch and a machete. \_\_\_\_\_ Police

Department officer took me to the \_\_\_\_\_ on \_\_\_\_\_ The

interrogation video in discovery clearly shows me stating that  
was and is lying about all these allegations.

What's even worse is that she had/made her daughter lie about serious allegations that would get any human being, especially a man, in trouble with law enforcement. I specifically say in the interrogation video that “

’ This is exactly what her daughter did.

Fast Forward a few months when discovery is released. I received the date of as one of the dates I allegedly committed a horrendous crime against and her daughter. Like any normal human being who is innocent, I looked up the date of the alleged incident. My bank statements and phone records showed/placed me in  
The confiscated a blow torch that was her sons, and a Machete that was at her home when I met her in blatantly lied about me assaulting her with a blow torch and a machete. Facts and irrefutable evidence not circumstantial evidence, which this whole charge is based off, show, and prove I was not even in the state when she said I committed these false crimes against her. just provided as evidence pictures of a blow torch, Machete, and purple wounds on her body that could have occurred by her falling. This is common because of the medical conditions has dealt with since I have known her. Her medical history will show this. The scratch that was on her daughter's foot was so minor it could have happened from walking outside barefoot. There is no proof beyond a reasonable doubt that shows or proves I struck and gave her any type of bruises.

There is no evidence, proof, facts, or law that can be cited that show the machete or blow torch belonged to me, I purchased them, or that I used them to commit a crime. In the discovery it says they belong to me.

In criminal law this type of lying committed is referred to as **PERJURY**. In Arizona this is a blatant violation against [ARS 13-2702 – Perjury – Arizona Law & Penalties, which states: ARS 13-2702 is the Arizona statute that defines the crime of perjury. People commit this offense when they make either a false sworn statement or a false unsworn declaration regarding a material issue and do so while believing the statement/declaration is false. A violation of this law is a Class 4 felony punishable by almost four years in state prison. The language of ARS 13-2702 states that: “A person commits perjury by making either: A false sworn statement in regard to a material issue, believing it to be false. A false](#)



unsworn declaration, certificate, verification or statement in regard to a material issue that the person subscribes as true under penalty of perjury, believing it to be false.”

For purposes of this statute, a “material issue” means one that could affect the course or outcome of any official proceeding or transaction. Further, a “sworn statement” means any statement knowingly given under oath or affirmation attesting to the truth of what is stated, including a notarized statement.

blatantly and knowingly lied about everything ON HER ORIGINAL SWORN STATEMENT.

According to the Probable Cause Statement Addendum given by \_\_\_\_\_ on \_\_\_\_\_ I was at her home in \_\_\_\_\_, the address being \_\_\_\_\_ and at \_\_\_\_\_ hours, I started to manipulate a handgun. It then states during this manipulation the gun was pointed at \_\_\_\_\_ head. Then it states the I allegedly cocked the gun. Then, according to \_\_\_\_\_, I put the gun down. Then is states I started to break things in her home and valuable family heirlooms. Then it states I pulled \_\_\_\_\_ by her hair twenty feet and threw her in the wall. As the record shows, there Is no factual, physical, or tangible evidence or proof that proves this BEYOND A REASONABLE DOUBT that I broke anything in \_\_\_\_\_ home, assaulted her with a gun, or pulled her by her hair. On \_\_\_\_\_ stated that that I threw a box of heirlooms and decorations.

It is alleged that glass in the box shattered and caused injury to \_\_\_\_\_ head and the head of her child. It was also alleged that later that night I punched \_\_\_\_\_ in the chest and disabled her phone from calling the police. There are no photos, video recordings, or any factual evidence that proves beyond a reasonable doubt that I broke anything in \_\_\_\_\_ home, that I caused injury to \_\_\_\_\_ head or the head of her daughter, that I punched her, or prevented her from calling the police. The evidence used to take me to jail was the word of a woman who perjured and made her \_\_\_\_\_-year-old daughter lie about me. It should be noted that \_\_\_\_\_ invited me back to her home in \_\_\_\_\_ of \_\_\_\_\_ after the \_\_\_\_\_ alleged incident she got caught lying about. If \_\_\_\_\_ was so scared for her daughter and her own well-being why would she invite me back into her home after she stated I chased her and her daughter with a blow torch and a machete? Not only that, but \_\_\_\_\_ also invited me back to her home to watch her daughter while she went to \_\_\_\_\_ in \_\_\_\_\_ to address her medical issues. This does not add up. She was never threatened or feared for her life. I never forced myself to stay at her home. She could have called the police at any time prior to \_\_\_\_\_ to



report wrongdoing or me allegedly hurting her.

She never called the police prior because I never did anything wrong to her or her family. I was always on her child's emergency contact list at her daughter's school and routinely picked her up from school. *Only when I told I was leaving her for good did she make up these false allegations and lie to the and the* .

Ariz. R. Crim. P. 3.1) ISSUANCE OF SUMMONS OR WARRANT (c) INITIAL ARREST WARRANT states, before issuing a warrant, the magistrate must determine that **probable cause** exists that the defendant **committed** the offense or find that such a determination was previously made.

County states that "Probable cause means that a "reasonable person" would believe that a specific person was in the process of committing, had committed, or was going commit a crime." **Probable** can be defined as likely to be the case or to happen.

**Reasonable** can be defined as having sound judgement, fair and sensible or appropriate or moderate. In determining probable cause a police officer must have more than a subjective hunch to make an arrest or get an arrest warrant. They need to have objective evidence that indicates the suspect's responsibility for the crime.

An individual **COMMITTS** a crime if they act in a way that fulfills every element of an offense. Arizona's reasonable person standard in common law is defined as a person who uses an appropriate measure of caution and performs a sensible action. Appropriate can be defined suitable or proper in the circumstances. Sensible can be defined as a statement or course of action chosen in accordance with wisdom or prudence.

According to Ariz. R. Crim. P. 5.4 (d) Lack of Probable Cause. The magistrate must dismiss the complaint and discharge the defendant if a magistrate finds that there is not probable cause to believe that an offense has been committed or that the defendant committed it. Arizona Rules of Evidence, Rule 401 state that Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. Judge signed off on

the arrest warrant which means she felt that there was sufficient evidence and probable cause in Police Department officer report to issue an arrest warrant for me. **This was a flawed and incorrect judgement made by the judge.** First, me being arrested just because of what a woman and her daughter say does not pass the reasonable person standard.

**Second,** Although and her daughter's testimony pulled at the heart strings and minds of the and the , a

**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.**