

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-024

Complainant: No. 1211110172A

Judge: No. 1211110172B

ORDER

The complainant alleged that two superior court judges failed to investigate other judges and judicial officials who made incorrect legal rulings in his paternity case. The commission is not a court and cannot review evidence to determine if the judge ruled properly. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 19, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed
to the complainant and the judge
on April 19, 2010.

This order may not be used as a basis for disqualification of a judge.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2010-024****COMPLAINT AGAINST A JUDGE**

Your Name:

Judge's Name:

Date: 01-29-10

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times, and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

COMPLAINANT WROTE TO PRESIDING JUDGE (HON.) TO CONTEST
COMMISSIONERS NELSON AND VANDEBERG INFRINGING UPON HIS CONST. RIGHT
TO PROCEED PRO SE UNDER ARIZ. CONST. ART 2 § 24 AND MANDATE OF FARETTA
V. CALIFORNIA, 422 U.S. 806, 95 S.Ct. 2525 (1975). FURTHER, PRESIDING JUDGE
FAILED IN HER SUPERVISORY STATUS AND DUTIES TO CONDUCT AN INVESTIGATION
AND REDRESS GRIEVABLE MATTERS UNDER THE COLOR OF STATE LAW. THE 4th
AVE JAIL DID NOT BOTHER TO PROVIDE COPIES OF MOTIONS TO BE FILED WITH
CLERK OF THE COURT, LEGAL SUPPLIES AND LAW BOOKS. LEGAL PLEADINGS AND INFOR-
MATION WERE NOT COPIED NOR PROVIDED, AND I.L.S. PLACED A LIMIT ON THE
AMOUNT OF NOTICE OF CLAIMS (UNDER A.R.S. § 12-821). MOREOVER, PUBLIC DEFENDER
AND LEGAL ADVOCATE FAILED TO DISCLOSE DIRECT COMPLAINT, INDICEMENT,
DEPARTMENTAL REPORT (DR), LEGAL PLEADINGS, AND TRANSCRIPTS, AND OTHER
RECORDS. SEE LETTER DATED 02-17-09, ADDRESSED TO PRESIDING JUDGE,
WHO FAILED HER DUTIES TO NOT INVESTIGATE INTO OFFICERS OF THE COURT
AND (I.L.S.) OBSTRUCTING COMPLAINANT'S ACCESS TO THE COURT, NOR CONSIDERED
HIS CLAIM OF BEING PROVIDED INCOMPETENT LEGAL REPRESENTATION BY
THE COURT. "NOTICE OF POST-CONVICTION RELIEF FILED UNDER RULE 32, ARIZ.P.CRIM.P.
THE PRESIDING JUDGE ABUSED HER DISCRETION TO ALLOW THE PUBLIC DEFENDER,
DEPUTY LEGAL ADVOCATE AND (I.L.S.) TO ABUSE THEIR AUTHORITY, AND IS
LEGALLY ACCOUNTABLE UNDER FEDERAL LAW, 42 U.S.C. § 1997e(2)(1), AND
THE UNITED STATES CONSTITUTION AND ARIZONA CONSTITUTION, AND CANON
RULES FOR JUDGES.

(Attach additional sheets as needed.)

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2010-024

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RE: PURSUANT TO A MISCONDUCT COMPLAINT BROUGHT AGAINST PRIVATE PROCESS SERVER FOR FILING A FALSIFIED SERVICE OF PROCESS RETURN AND PARTICIPATING IN THE CONSPIRACY WITH THE ASSISTANCE ATTORNEY GENERAL, DEPT. OF ECONOMIC SECURITY (D.E.S.) AND STATE COURT JUDGE TO ILLEGALLY OBTAIN JURISDICTION OVER COMPLAINANT VIA ABSENTIA HEARING, THE PROCESS DID NOT COMPORT WITH DUE PROCESS OF LAW. THE FACT THAT COMPLAINANT WAS NOT AFFORDED NOTICE OF PROOF OF SERVICE, HAS ALLOWED D.E.S. TO ABUSE THE PROCESS BY ILLEGALLY TAKING \$20,000 TO \$30,000 DOLLARS FROM COMPLAINANT JOBS, SSI BENEFITS AND BANK ACCOUNT. SEE LETTER 12-21-09 ADDRESSED TO JUDGE TO D.E.S. 12-21-09, TO MARICOPA CLERK. MOREOVER, CIVIL PRESIDING JUDGE, DECLINED TO CONDUCT AN INVESTIGATION INTO THE PROCESS SERVER MISCONDUCT AND IGNORED COMPLAINANT'S PRIMA FACIE EVIDENCE THAT SUPPORTED HIS ALLEGATIONS THAT HE DID NOT RESIDE AT NOTED ADDRESS AND ON SAME DAY OF SERVICE OF PROCESS WAS IN FLIGHT TO CHICAGO. CIVIL LAWSUIT WAS FILED AGAINST PROCESS SERVER, SEE ATTACHED LETTER DATED 01-05-10 FROM THE U.S. DEPUTY CLERK OF ARIZONA DISTRICT COURT NOTING CASE NO. CV-98-1437-PHX-PGR, IN RESPONSE TO LETTER DATED 12-18-09. MORE RECENTLY, A NOTICE OF CLAIM AGAINST SAID STATE COURT JUDGE UNDER A.R.S. § 12-821, HAS BEEN SUBMITTED TO ATTORNEY GENERAL AND RISK MANAGEMENT TO CONDUCT AN INVESTIGATION INTO STATE CAUSE OF ACTION. UNDER CANON RULES OF JUDGES, AN INVESTIGATION INTO A JUDGE MISCONDUCT IS REQUESTED. SEE (LETTER DATED 01-21-10 U.S. COURTHOUSE CLERK (REQUEST FOR LEGAL INFORMATION. DATED 01-13-10), AND COMPLAINT FILED AGAINST JUDGE TONY M. GERST. WITH COMMISSION.
(Attach additional sheets as needed.)