

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-069

Complainant: No. 1388110863A

Judge: No. 1388110863B

ORDER

The complainant alleged a federal bankruptcy judge has a conflict of interest in his case, failed to address some issues, and made incorrect legal rulings. The issues raised involve a federal judge over whom the commission has no jurisdiction. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 26, 2010.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on April 26, 2010.

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

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 200
Phoenix, Arizona 85007

COMPLAINT AGAINST JUDGE

ARIZONA CODE OF JUDICIAL CONDUCT 2009

These are my complaints and my opinions.

COMPLAINT (1) REQUEST FOR RECUSAL

CANNON 1 A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Rule 1.2 Promoting Confidence in the Judiciary

COMMENT 1. Public confidence in the judiciary is eroded by improper conduct and conduct that creates the appearance of impropriety.

EXHIBIT 1) REQUEST FOR RECUSAL

Received Dec. 8, 2009

Letter from Mesch Clark, & Rothschild where Judge
Partner , states that there are Conflicts of Interest.

was a

EXHIBIT 2)

MEMORANDUM DECISION

Dated Dec. 21, 2009

Recusal Denied

CANNON 2 A judge shall preform the duties of judicial office impartially, competently, and diligently.

Rule 2.11 Disqualification

COMMENT 5. A judge should disclose on the record information that the judge believes the parties or their lawyer might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification.

First, according to Cannon 1, impropriety and the appearance of impropriety shall be avoided. Rule 1.2 Public confidence in the judiciary is eroded by improper conduct and conduct that creates the appearance of impropriety, I produced a letter from her Law Firm stating there are conflicts of interest that preclude them from representing me (2009).

Second, Exhibit 2) pg. 7 line 14-16 Judge states the stay was lifted on the Skyline Property due to the parties stipulation. See complaint (2) below. I was threaten by my counsel to give back the building. Judge never addressed this issue when asked.

CANNON 2 A judge shall perform the duties of Judicial office impartially, competency, and diligently.

Rule 2.15 Responding to Judicial and Lawyer Misconduct

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriated action.

COMPLAINT (2) JUDGE NEVER ADDRESSED: MR. SPARKS
THREATENING DR. TO RETURN BUILDING

EXHIBIT 3) Complaint to Judge

Received Nov. 10, 2009
(& Received Oct 20 2009)

Mr. Sparks threaten Dr. to allow relieve of stay of building.
Exhibit B- Tape Transcription of Phone Conversation.

COMPLAINT (3) JUDGE NEVER ADDRESSED: MR. SPARKS PRE-
PETITION SERVICES DISCREPANCY

EXHIBIT 3) Complaint to Judge

Received Nov. 10, 2009

Mr. Sparks claims \$4,922 for pre-petition Services (pg 2 of Verified Statements and Disclosure) Dr. posted checks for \$ 10,000 and \$ 2,500 which equal \$ 12,500.

COMPLAINT (4) JUDGE NEVER ADDRESSED: MR. SPARKS MADE
DR. FILL OUT MONTHLY OPERATING REPORTS
AND FILE THEM WITH THE COURTS

EXHIBIT 3) Complaint to Judge

Received Nov, 10, 2009

COMPLAINT (5) JUDGE NEVER ADDRESSED: MR. SPARKS WOULD
NOT NEGOTIATE WITH BANKS

EXHIBIT 3) Complaint to Judge

Received Nov. 10, 2009

COMPLAINT (6) JUDGE NEVER ADDRESSED: MR. SPARKS. HE
DOES NOT DO REAL ESTATE LITIGATION

EXHIBIT 3) Complaint to Judge

Received Nov 10, 2009

COMPLAINT (7) UNKNOWN: MR. GONZALES ADDRESSED BY JUDGE

- a- got court approval to come in
- b- asked court how he was to get paid
- c- never asked to be released

EXHIBIT 3) Complaint to Judge

Received Nov. 10, 2009

COMPLAINT (8) REVOKED CERTIFICATE OF OCCUPANCY NEVER ADDRESSED
WITH MR. SPARKS

EXHIBIT 3) Complaint to Judge
Exhibit D- Revoked Certificate of Occupancy

Received Nov. 10, 2009

COMPLAINT (9) TITLE SECURITY AGENCY OF ARIZONA LETTER,
JUDGE NEVER ADDRESSED UNSIGNED AND
RETURNED CLOSING DOCUMENTS WITH MR. SPARKS

EXHIBIT 3) Complaint to Judge

Received Nov. 10, 2009

Exhibit E- Judy Susalla Notarized statement pertaining to Rosie T

- 1- " Our file does not contain a certificate of occupancy"
- 2- "Our file does not contain signatures by SBA on the loan documents,
if you wish to obtain copies , you will need to contact SBA."

COMPLAINT (10) BOTH MR. SPARKS AND MR. GONZALES KNEW THAT THE
TITLE COMPANY NEVER RECEIVED SIGNED RETURNED
CLOSING DOCUMENTS, JUDGE NEVER
ADDRESSED THE ISSUE WITH COUNSELS

EXHIBIT 3) Complaint to Judge
pg 2 paragraph 7

Received Nov. 10, 2009

The Title Company signed, and notarized letter stating closing document where to this day never signed and returned. The department of Real Estate Commissioner Mrs. Lowe says that there is no Real Estate Transaction., for Rosie T. Building at 1745 E. Skyline Dr.

EXHIBIT 3) Exhibit E , Title Letter

COMPLAINT (11) JUDE NEVER ADDRESSED CERTIFICATE OF
OCCUPANCY FOR SHELL WITH MR. SPARKS

EXHIBIT 4) Complaint to Judge
Exhibit 6

Received Nov, 16, 2009

COMPLAINT (12) JUDGE NEVER ADDRESSED APPLICATION FOR
CERTIFICATE OF OCCUPANCY FOR SHELL

EXHIBIT 4) Complaint to Judge
Exhibit 6

Received Nov. 16, 2009

COMPLAINT (13) JUDGE NEVER ADDRESSED
WARREN R. SIRINGER LETTER NO CERTIFICATE OF
OCCUPANCY FOR SHELL WITH MR. SPARKS

EXHIBIT 4) Complaint to Judge
Exhibit 6

Received Nov. 16, 2009

COMPLAINT (14) JUDGE NEVER ADDRESSED MR. SPARKS ABOUT
YVES KHAWAM LETTER REVOKED CERTIFICATE OF OCCUPANCY

EXHIBIT 4) Complaint to Judge
Exhibit 6

Received Nov. 16, 2009

COMPLAINT (15) JUDGE NEVER ADDRESSED MR. SPARKS ABOUT
FAILURE TO COMMUNICATE WITH DR.

EXHIBIT 5) Complaint to Judge

Received Nov. 30, 2009

COMPLAINT (16) JUDGE NEVER ADDRESSED MR. SPARKS ABOUT
ABOUT REQUEST FOR COURT INVESTIGATION ON MR.
SPARKS ACTIVITY

EXHIBIT 6) Complaint to Judge

Received Dec. 8, 2009

COMPLAINT (17) JUDGE NEVER ADDRESSED MR. SPARKS ABOUT
FILED TITLE SECURITY OF AGENCY OF ARIZONA LETTER
STATING NO SBA SIGNED RETURNED DOCUMENTS AND NO
CERTIFICATE OF OCCUPANCY.

EXHIBIT 7) TITLE SECURITY AGENCY OF ARIZONA

Received Dec. 11, 2009

COMPLAINT (18) JUDGE NEVER ADDRESSED MR. SPARKS ABOUT
DR. COMPLAINT REGARDING THE BANKS
AND ATTORNEYS

EXHIBIT 8) Complaint to Judge

Received Dec. 14, 2009

COMPLAINT (19) JUDGE NEVER ADDRESSED: ED LACAMBRA
STILL COUNSEL FOR DR. ON CIVIL
CASE CIT JUDGE MILLER BUILDING

EXHIBIT 9) Minute Entry Judge Miller

Dated Jan 29, 2010

I was not aware that from 2006 to present that Mr. Lacambra was all this time my attorney for CIT civil litigation. Mr. Lacambra referred me to Mr. Sparks in 2009. So why didn't Mr. Sparks and Mr. Lacambra get together and defend me?

COMPLAINT (20) JUDGE NEVER ADDRESSED MR. SPARKS
ABOUT PLAN FOR REORGANIZATION

Complaints 2-20 above violated CANNON 2

Rule 2.15 Responding to Judicial and Lawyer Misconduct

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(D) A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rule of Conduct shall take appropriate action.

Judge did

- 1- Not Address issue
- 2- Not take appropriate action
- 3- Not notify the proper authorities

COMPLAINT 21) JUDGE NEVER ADDRESSED: JUDGE TANG
DISMISSED DAZ-1 CIVIL CASE WHILE STILL WITH JUDGE

Lacambra and Sparks not communicating with Judges or Dr.

COMPLAINT 22) JUDGE NEVER ADDRESSED: JUDGE MILLER
COMPLIANT THAT HIS COURT DID NOT RECEIVE NOTICE
OF BANKRUPTCY STAY.

EXHIBIT 9) Minute Entry

Dated Jan 29, 2010

-

I Dr. was never notified by my Attorneys or the courts.
Complaints 21 & 22 above violated CANNON 2

Rule 2.15 Responding to Judicial and Lawyer Misconduct

(A) A judge having knowledge that another judge has committed a violation of this code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.

(C) A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this code shall take appropriate action.
Judge did

- 1- Not Address issue
- 2- Not take appropriate action
- 3- Not notify the proper authorities

COMPLIANT 23) JUDGE ALLOWED MR. SPARKS TO LEAVE
PRIOR TO FINAL HEARING ON A PENDING MOTION FOR
RELIEF FROM STAY CONCERNING DR PERSONAL
RESIDENCE

Not only did Judge allow Mr. Sparks to leave prior to final hearing,
She had Dr. defend him self and allowed relive of stay on my primary
residence, even though he was in negotiation with the bank (GMAC Mortgage)
for Home modification and giving them more information at there request.

COMPLAINT 24) JUDGE DID NOT ADDRESS THE ILLEGAL LOAN
WITH PNC MORTGAGE

EXHIBIT 10) Complaint to Judge

Received Feb 10, 2010

PNC says they have a home mortgage, and the original records were destroyed. It always was a lot and still is a lot. But PNC does not do lot loans. Judge does nothing.

COMPLAINT 25) DR. WAS UNAWARE OF NUMEROUS HEARINGS
WITH MR. SPARKS AND WITHOUT HIM.

Judge was informed numerous times about these civil and criminal activities contained in these documents, and yet she still chose to do nothing.

Instead of doing the right thing Judge I does nothing and allows our properties to be taken.

COMPLAINT 24) JUDGE NEVER ADDRESSED

EXHIBIT 12) 1- Request to reinstate Advisory Complaint
2- Request to reinstate Rosie T. LLC

Received March 8, 2010

COMPLAINT 25) JUDGE NEVER ADDRESSED ADFI LETTER

ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS (AZDFI) REFERS DR.
COMPLAINTS TO OFFICE OF ATTORNEY GENERAL AND THE UNTIED
STATES ATTORNEY GENERAL FOR POSSIBLE CONSPIRACY AND CRIMINAL
ACTIVITY

EXHIBIT 13) AZDFI

Jan 7, 2010

COMPLAINT 25) JUDGE LIBEL DR.

In light of all the evidence I have provided the court with regards to Judge
failure to act appropriately in her court she then states that I am Hypersensitive,
Unduly Suspicious and Irrational. I believe she has libel against me when clearly there is no
supporting evidence or documentation to suggest a clinical diagnosis.

EXHIBIT 2) Memorandum Decision

Dec. 21, 2009

pg 4, line 23-26

pg 7, line 8-9

Thank You,