

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-317

Complainant: No. 1406210705A

Judge: No. 1406210705B

ORDER

The complainant alleged that a justice of the peace improperly issued a protective order and appeared to give legal advice to the opposing party. After carefully considering the complaint and listening to the recording of the hearing, the commission found no evidence that the judge was biased or provided legal advice. Whether the judge should have issued the protective order is a legal question that can only be addressed on appeal. The commission is not a court and cannot change judicial decisions. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: February 22, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on February 22, 2011.

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

2010-317**COMPLAINT AGAINST A JUDGE**

Your name: _____

____ Judge's name: _____

Date: 11/10

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

- The judge only swore in the plaintiff with very quick, not understanding words. He did not swear me in. (defendant)
- The letters the plaintiff alleges were not actually provided to the Judge or the defendant at the time of the hearing. He would have noticed two of the letters that were of no harassing nature were way prior to "the year only pertaining to the request for an order of protection." The defendant had copies of each and every letter ever written to the plaintiff and exact copies have been sent to the Superior Court's file. The plaintiff read letters that were fabricated, false, manipulated. The 3rd letter was that of the bottom paragraph of page 4 out of 6 pages. The letter actually written by the plaintiff's son was advised by his counselor in the justice system and following a very disgusting phone message left on the defendant's cell phone. In fact, there are journals with many, many harassing phone calls and messages left by the plaintiff but the judge did not want to "go there". Not one letter was written by the defendant and none of all the letters were ever threatening, especially with a gun. The defendant has not spoken to the plaintiff since Jan 14, 2009 when the plaintiff called him stating "don't threaten me". The defendant was out with a friend who can testify to the defendant's response. The plaintiff then called the police to state the defendant was calling her. The defendant stated, "I'm out here with a friend and at no time, I called her nor have I ever. I want the proof that I called her". The police then stated, "ok fine just don't call her". The defendant won't even make eye contact with a manipulating liar that can con anyone into believing her lies.
- The judge has allowed her first attempt of placing false charges on the defendant of 1996 where it has been vacated with prejudice. A gun wasn't even in the same town that night in question. The defendant's record is clear

(Attach additional sheets as needed)

-and honorable. The plaintiff is an aggressive alcoholic whose entire testimony can be proven false with supporting documents, recordings, honest testimony of reliable witnesses, that she deliberately lied and made false statemens, the crime of perjury, a class 6 felony.

-the plaintiff filed these orders two days after purging a child support arrest warrant for contempt of court. The judge states, "I don't want to go there, or this doesn't pertain to this, or that's a separate issue" each and every time the defendant tries to disclose this information.

-The plaintiff knew the defendant's wife would be out of town on September 17, 2010 by using the words of a 16 year old nephew that attends the same school as the child she damaged, even when he lives in another city. Why did not the Judge ask the plaintiff why she was coming in on this date to file her complaints and not prior?

-the defendant is dyslexic and by the words spoken by Anita, the Judge's court clerk, "that doesn't matter, he is still an adult". How discriminating. This man cannot read and not by his own choice and "that doesn't matter". The judge also confirms this by stating, "he had plenty of time to get an attorney and it doesn't matter that he is dyslexic".

-the judge already made up his mind about applying the Brady act prior to even hearing the testimony and probably by information provided prior. However, this information is eliminated in the audio purchased of September 17, 2010.

-The defendant very clearly states "he wants to appeal his decision" however the Judge provides information about the appeal to the plaintiff when s he asks for advice and not to the defendant. The judge provides information and assistance to the plaintiff at all times especially on September 17, 2010.

-the judge is going by a criminal case that was dismissed with prejudice applying criminal code 13-907 against both the judge and the plaintiff.

This judge has acted as the plaintiff's attorney and advisory on September 17, 2010. Then at the hearing on September 27, 2010, He has to justify his actions and doesn't give the defendant any attention to this matter, and on October 11, 2010, when the plaintiff doesn't show up to the injunction against harassment to and it is dismissed, the judge now defends his decision which is regarding the appeal, that was never sent to the appropriate court. How come?

There must be a basis for an Order of Protection or for an injunction against harassment. What basis at any percentage was this judge applying? I will advise this Commission that none were applied and the actual harassment came from someone that is supposed to mean something. A Judge. Instead, we have no intention of ever going to this City because of the misconduct.

Sincerely,