

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-220

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge altered a ruling to cover up attorney misconduct, failed to rule on motions, failed to follow the family court rules, and violated the Americans with Disabilities Act.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Dated: October 18, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on October 18, 2017.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2017-220

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.

Please see attachment.

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Attachment:

- 1) Due to _____ relationship with _____ I, _____ I has unfairly changed his ruling that was in support of _____, and changed to support of Respondent to aid and abet his colleague _____. I.
- 2) _____ is in violations of the American's with Disabilities Act 1990 Title I and II, and ADAAA 2008 amendment by not ruling on Petitioner _____ ADA Accommodations within a timely manner, and setting a hearing "
_____ " Under the ADA laws, _____ ADA Accommodations requests are to be private, yet _____ is making _____ prove he is disabled (even though _____ has provided on record evidence that he is seriously disabled:

_____ I scheduled this hearing to see if _____ is disabled and he also invited the abuser who is the Respondent (who is one of the causes of the _____) to challenge _____ disabilities, which is causing yet more _____.
- 3) _____ I was supposed to rule on Petitioner's Petition to stop the withholding order that Petitioner filed on _____ and then filed the proof of service on _____ but he did not.
- 4) _____ I was supposed to rule on Petitioner's petition TO SET ASIDE / VACATE ORDER/JUDGEMENT ENTERED ON _____ filed on _____

but he did not. This petition does not require Respondent's participation as it is in regard to the court's oversight Rule 60 & Rule 185.

5) At the telephonic status conference hearing was informed by Petitioner that since the beginning of this divorce in there has been serious criminal actions by the Respondent to use the court to exploit and extort his federal VA and disability funds, then embezzle those funds by not reporting them to the child support agencies and that he is overpaid in all of his support obligations. Petitioner also explained that now finally through the use of his personal ADA Aid he is finally able to file the appropriate court documents to finally get justice.

then made the following ruling on

6) At the telephonic status conference hearing called a surprise witness: who testified on behalf of the Respondent. She reciting evidence that neither were able to view. Petitioner was not allowed to object or cross-examine this witness. then based his ruling upon this surprise witness After this hearing, Petitioner got ahold of the evidence recited in the hearing which proved that she gave false information to the court. Petitioner also got a recording of the hearing and discovered that her testimony was contradictive in areas which proved she was giving false testimony. Petitioner then presented this

information to _____ in his _____ motion for reconsideration. Petitioner proved beyond a doubt that _____ surprise witness was incorrect on the important / relevant facts in which _____ based his ruling. _____ then denied Petitioner's request for reconsideration.

Petitioner, _____ would like to state the following regarding _____ connection with _____ that caused him to unjustly and orchestrated change of his rulings from pro Petitioner to against Petitioner due to his bias relationship with _____

There has been a creation of a perception of bias due to the Relationship between _____ (_____) (See **Exhibit A**) and Petitioner's previous attorney _____), through their _____ (See **Exhibit A**), and the timing of Respondent's complaints against _____ sudden and orchestrated dismissal of Petitioner's petition: “

_____” (See **Exhibit B**) and vacate the _____ hearing for Petitioner's petition: “

_____” (See **Exhibit C**) both of which were filed by _____ on _____ The bias is too great to permit the _____ to preside over this case, and Petitioner believes the fairness and impartiality has been compromised. Fair and impartial justice requires that judges act

without regard to the identity of parties or their attorneys, the judge's own interests or likely criticism, a judge should step away when there is actual conflict or bias or other impropriety...or when a reasonable disinterested person would conclude that an appearance of impropriety exists. Petitioner has lost faith and confidence in the judicial process with

Timeline of events that creates a perception of bias between

and

- 1.) Petitioner signs an agreement with for to represent Petitioner for Child Support and Spousal Support. (See **Exhibit D**). Petitioner was first being helped by in , who then handed him off to while they went on
- 2.) files (2) Petitions for Petitioner: “ ” (See **Exhibit B**) and “ ” (See **Exhibit C**).
- 3.) and Respondent argued over jurisdiction. Respondent claimed that since she modified child support in has the most recent controlling order, while argued that it was illegal for Respondent to even modify in to begin with because Petitioner has always been a resident of and so there for has the controlling order.

**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.**