

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-330

Judge:

Complainant:

ORDER

The complainant alleged a municipal court hearing officer improperly upheld a protective order, did not allow him to impeach a witness, was biased against him, failed to allow him to present evidence, and had a conflict of interest.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the hearing officer 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 hearing officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the hearing officer 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: February 21, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie
Executive Director

Copies of this order were distributed to all appropriate persons on February 21, 2018.

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



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.

On _____ I defended myself against _____ who had applied for an Order of protection against me. I appeared before _____ at _____

Because _____ did not appear _____ dismissed the Order against me. After issuing the dismissal and after I withdrew my complaint against _____ I was on my way out of the courtroom when _____ appeared 25 minutes late. _____ then demanded her order back from me and heard the case despite having had dismissed it.

_____ allowed _____ girlfriend, _____ to present evidence in the form of a record from _____ which showed a record of communications between her phone number and my number however did not show text transcripts. _____ perjured herself by stating I had sent her 7 text messages in _____ and 36 in _____. I presented a text log from _____ my carrier at the time, as well as screen shots of the exchanges between myself and _____. This showed that only sent _____ two text messages in _____ and one in _____ all of which were amicable and indicated a relationship between myself, _____ and _____ existed. _____ discounted my evidence and stated I had harassed _____ and _____ despite the fact I had not and _____ was not a party to the complaint nor was the evidence presented at discovery.

I had several Witness Subpoenas served via certified USPS mail. All but one witness was absent from the proceedings and the one witness who did attend drove to the court with _____

When I attempted to bring this to the attention of _____ she told me, "Subpoenas don't mean anything," despite the fact they were signed by a judge. I subsequently learned _____ had tampered with the other witnesses instructing them not to attend the proceedings I tried to get copies of the USPS record of service cards and was told by the court they did not have them and the only subpoenas they did have were two which were returned as undeliverable and two for medical records which I served myself.

Having had the petition reviewed by two independent attorneys I was informed it should never have been approved, more or less upheld, due to the fact two of the three points are regarding the plaintiff's girlfriend and not the plaintiff and the third point was requesting a meeting to discuss a legal matter. however, regarded the petitions it were requested by both the plaintiff and his girlfriend, who I only met for about 30 minutes and had very little contact with subsequent to that.

2017-330

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_____ instructed me to present all of my evidence at discovery, which _____ had ample opportunity to examine, yet _____ was not required to do so and I was not given the same advantage limiting my ability to defend myself.

_____ did not afford me the opportunity to impeach _____ witness Background information gathered by a process server shows _____ has approximately 30 aliases, is listed as having approximately the same number of previous addresses, works as a psychic medium and may have active warrants for her arrest. Evidence also indicates _____ is married to an _____ who, along with her six children, she deserted in mid-August of this year to live in an adulterous relationship with _____

_____ is not a reliable witness, yet _____ showed blatant prejudice against me by accepting the verbal testimony of _____ and disregarded a Police Report issued by the _____ Police and a text chat log from _____ hich contradicted _____ testimony.

_____ had an apparent conflict of interest in that she serves on the board of several charities for which _____ volunteers. _____ also has a friend named _____ who works in a civilian capacity with law enforcement, and serves as the Secretary for the local _____ has been in a sexual relationship with _____ for several years according to There is evidence to indicate _____ due to her obsession with _____ may have used her position with the _____ to influence _____

_____ may also have been influenced by _____ in that she may be related to former White House Aide _____ who may be a relative of _____

In addition, when _____ and _____ did eventually arrive, _____ appeared to know them.

_____ admitted in court he had tampered with evidence ,in that he blocked me on his Facebook account, which would have been to my benefit and proven my argument yet _____ ignored the fact not ordering _____ to unblock me and submit the evidence that he had in fact kept in contact with me. _____ also perjured himself by denying he had kept in contact as well.

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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falsely stated a report taken by the _____ against her was against
and insisted the _____ do not involve themselves in issues between friends. Had
actually read and considered the Police Report-she would have seen this was perjury and an attempt to
discredit myself and defame the defendant.

would not permit me to introduce evidence in the form of medical reports which showed the
effects of the abuse and harassment I was being subjected to by the plaintiff and
abuse and harassment while I was being hospitalized and would have supported my case.

intentionally sabotaged my defense by creating distractions and confusions through
continually interrupting the hearing to hear traffic cases. _____ would hear one piece of testimony,
then call a recess to hear a traffic case, then proceed with my case. I was informed by a law professor
this is a tactic used to interrupt the oppositions thought processes and if done by a judge constitutes
misconduct and show prejudice.

In closing, _____ has acted improperly and violated my rights by:

- Allowing perjured testimony
- Disregarding my subpoenas for witnesses stating they meant nothing
- Allowed Witness Tampering
- Allowed herself to be influenced by charitable organizations showing prejudice against me
- Allowed herself to be influenced by political figures
- Disregarded my defense by not examining my evidence which would have proven my defense
- Seeming to know the Plaintiff and not recusing herself
- Violated my Civil and Constitutional Rights
- Allowing the tampering of evidence
- By forcing me to return her order of dismissal and hearing a case that was dismissed with prejudice
after the plaintiff was a no show.
- By not examining the evidence which would have shown the order was without any merit
destroyed evidence in the form of return receipt cards showing my witnesses were
served after declining to allow my witnesses and stating subpoenas mean nothing.

Having it upheld has destroyed my life. I lost my jobs, my career opportunity, am unable to obtain work in
my field because of it showing on background checks and became homeless and it ruined my credit. The
order was nothing more than a jealous girlfriend attempting to eliminate the friends of _____ and
has no merit and _____ needs to be held accountable for her actions, along with
and _____ I am the victim of _____ eight years of abuse he is not the victim.