

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-139

Judge:

Complainant:

ORDER

August 21, 2019

The Complainant alleged a superior court judge improperly approved a settlement agreement and had “cognitive dissonance.”

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer’s legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on August 21, 2019.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019 - 139

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____ HON. _____

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.

COMPLAINTS: Subornation of Perjury, Abuse of Process, Ulterior Motive to collect, Arizona Department ARTICLE 8. PROHIBITED PRACTICES, R20-6-801. Unfair Claims Settlement Practices: E. Failure to acknowledge pertinent communications

Charging libel for contacting now _____ is absurd on its face. Yet Judge approves a side-deal between opposing counsels to reward the _____ plaintiff by terminating the third-party _____ Case _____ in consideration for libel insurance proceeds unrelated to libel, and to block a counterclaim which could " _____ " Exhibit A – without our knowledge, participation or consent. Forum shopping a venue with _____ the white-only census population to repeat a racial diatribe " _____ ' on triple-expired Statues of Limitation with contrived compliance to demand the \$ _____ cash equivalent to defend from _____ miles away contravenes Arizona Revised Statutes Title 13. Criminal Code § 13-1804. Theft by extortion; classification.

Cognitive Dissonance is observed in Judge _____ during a hearing on _____ and artificial intelligence and _____ text analytics software is run against his article in _____ Magazine, " _____ ' to confirm the psychological symptoms: " _____ ' – Exhibit I.

Fired insurer-appointed defense counsel _____ suborns perjury threatening policy cancellation in a Reservation of Rights letter – Exhibit B, unless we sign his Settlement Agreement containing " _____ ' assertions previously agreed between opposing counsels without consent | _____ Mr. _____ waits a _____ to ask our consent on _____ and his ONLY conversation with Mrs. _____ was on that day in the waiting room of the _____ lasting minutes. In a lengthy email contradicted by the written record – Exhibit C, Mr. _____ details an extensive discussion and explicit consent which never happened. Although he coerces my wife threatening the loss of more than her _____ income to a man she doesn't know – I do not agree, preserving written settlement terms in a _____ email to previous counsel | _____ on this _____ Claim # _____ initiated in _____ " _____ Mr. _____ rejects plaintiff's demand for financial penalties.

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Alleged verbal agreements amending the written contract violate Arizona Department
ARTICLE 8. PROHIBITED PRACTICES, R20-6-801. Unfair Claims Settlement Practices: E. 1. "

" Further, the written record contradicts Mr. _____
account of consent to financial penalties and paying the plaintiff's \$ _____ bid offer – Exhibit D,
Exhibits 1 - 13 Motion for Reconsideration (forwarded by email).

Insurance is a public trust and counsel on either side with an ulterior motive to collect commits Abuse of
Process. Jacobsen v Allstate (MT S.Ct., Aug. 29, 2013). Mr. _____ directs termination of a subsequent
third-party _____ investigation in consideration for libel insurance proceeds unrelated to libel which is
Abuse of Process – Exhibit E; _____ model: No " _____ . " "

After _____ straight losses through _____ courts, plaintiff threatens to keep us " _____ " until paid
the \$ _____ of money spent prosecuting his clients, Mr. _____ requisitions a libel insurance
payout, hands the check to opposing counsel colleague _____ and then directs me to terminate
Retaliation Case _____ unrelated to libel and therefore Abuse of Process by both plaintiff and
defense attorneys, without consent or a countersigned agreement. The Settlement Agreement between
_____ and _____ alone, executed without our knowledge or consent waives Fundamental Civil Rights
which cannot be waived. See United States v. Allen, 831 F.2d 1487, 1498 (9th Cir.1987).

Another white rape of a black man in U.S. Courts since African-Americans were also denied the right to
testify in the nineteenth century:

_____) _____ – "I _____ " _____

EXHIBIT A

From: [REDACTED]

Sent:

To:

Subject:

I've done an edit on the Answer and Discovery requests that will go out to you shortly.

This further communication is protected by Rule 408, Arizona Rules of Evidence.

I met today with [REDACTED] I advised them of the information you provided in our conversation that I believe was [REDACTED] of [REDACTED] particular your affirmation that some amount of money would need to change hands in addition to an ironclad commitment, which would be set forth clearly in a Release and Settlement Agreement, not only to formally dismiss all remaining claims of whatever kind that [REDACTED] has made against [REDACTED] but also an absolute mutual commitment to avoid any disparagement and any further filing of complaints based upon or in any way connected with those matters referenced in existing complaints.

Of course, such requirements would have to be mutually applicable in light of Mr. [REDACTED] strongly held beliefs concerning Mr. [REDACTED] disparaging remarks and/or discriminatory actions directed toward him. As you might imagine, issues surrounding a potential counterclaim have been discussed.

We are not unmindful of money that [REDACTED] may have paid to your firm to file a complaint and to provide other [REDACTED] services. Accordingly, and in addition to the above provisions, I am authorized to offer the sum of \$ [REDACTED] to Mr. [REDACTED] which sum, along with the provisions and requirements set forth above, would result in a full and final settlement of all claims connected with this lawsuit.

I look forward to your response. Have a good weekend.

EXHIBIT B

RESERVATION OF RIGHTS

Review Your Property Claim

Dear _____

Thank you for trusting _____ with your property insurance needs. We're writing about the loss that occurred on _____ in Unknown. We regret that the policy may not provide coverage for the following reason:

and _____

MAIL

|||||

EXHIBIT C

From:
Sent:
To:
Subject:

I have been thinking over our very unpleasant conversation from several days ago. I did not wish to respond in haste or in anger. I've now let this set for the _____ and I hope you too have had a chance to reflect on that conversation.. I was tempted not to respond, since I'm fairly certain that little productive can result, but the problem is that you seem anxious to equate a lack of response with agreement with your version of events, which would not be accurate. Accordingly, I have elected to send out the email I drafted _____ not to be contentious, but to make certain—again—that the record is clear concerning what we talked about and your agreement with the terms of the settlement of the lawsuit against you and the content of the Release document. What follows is my email I composed last _____ and have been sitting on since then. [This paragraph was written on _____]

Mr. _____ I was delayed this morning in going through emails and just saw this one. When I saw that it was from you, I hoped it was an apology for the horribly offensive and inaccurate/false things you said to me yesterday. Not so, unfortunately.

Mr. _____ I have never in my life, including the nearly _____ had anyone say such offensive things as you said to me _____ No one has worked harder on behalf of a client—to protect you and put an end to litigation—than I have in this case. But as a consequence of your words and actions, I believe I must withdraw as your attorney. I'm still mulling this over, but after a sleepless night, I don't know that you have left me any choice. [These paragraphs were written on _____ I believe.]

Mr. _____ it is now _____ I was advised yesterday that _____ has assigned a new attorney, Mr. _____ to represent you. I will fully cooperate with Mr. _____ and with you to make for a smooth transition. I truly hope you and your wife are able to get these claims fully resolved as promptly and efficiently as possible.

**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.**