

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-342

Judge:

Complainant:

ORDER

February 5, 2020

The Complainant alleged a superior court judge improperly denied his request for an order of protection.

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 Commission Rules 16(a) and 23(a).

Commission member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 5, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-342

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 or near the _____ I filed for an order of protection from my wife _____ at around
Around _____ later, the bailiff escorted me into a room where Judge _____ extremely
cursorily reviewed my petition for protection order. In brief summary, she denied my request.

The problem, I believe, is that she did not read the evidence, which is the same evidence as entered into
the case number _____ She said ' _____ ' after spending about
looking for it in the computer.

But the Serious Problem is that, due to both the fact that my wife has an OOP on me and that the shotgun
may be available to her in my house which I cannot go near, she could possibly go thru with the death
threat to my life, and perhaps the life of my daughter _____ in _____ as well as the recent threat of
suicide (and attempt in my opinion).

I feel I need an OOP Much more than she, I hope that by the time y'all get to this, it's not too late.

Sincerely and Urgently,

Please find herein, the copies of the police reports.
Additionally, I have the audio files of the 911 calls (_____ of them), which after hearing them, added
considerably to my fear.

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[Redacted]

Nature: Welfare Check
Location: [Redacted]

Address: [Redacted]

Offense Codes:
Received By:
Responding Officers:
Responsible Officer:
When Reported:

[Redacted]

How Received: T
Disposition:
Occurred Between:

[Redacted]

Agency: [Redacted]

Assigned To:
Status:

Detail:
Status Date: **/**/**

Date Assigned: **/**/**
Due Date: **/**/**

Complainant:
Last:

[Redacted]

First:

Mid:

DOB: **/**/**
Race:

Sex:

Dr Lic:
Phone:

[Redacted]

Address:
City:

Offense Codes

Reported: WELF Welfare Check
Additional Offense: WELF Welfare Check

Observed: WELF Welfare Check

Circumstances

[Redacted]

Responding Officers:

Unit:

[Redacted]

[Redacted]

Responsible Officer:

[Redacted]

Agency:

[Redacted]

Received By:

[Redacted]

Last Radio Log:

[Redacted]

How Received: T Telephone

Clearance: CRD Cleared by Responding Deputy

When Reported:

[Redacted]

Disposition: D1 Date:

[Redacted]

Judicial Status:

Occurred between:

[Redacted]

Misc Entry: *

and:

Modus Operandi:

Description:

Method:

[Redacted]

Involvements

Date	Type	Description	Relationship
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[REDACTED]

Narrative

At the request of the crisis hot line I checked on [REDACTED] who had contact them regarding marital issues and wanted to harm her daughter in law who is living in [REDACTED] area.

Upon my arrival I spoke with [REDACTED]. She stated that she was having a fight with her husband and that he always pick the side of his daughter. [REDACTED] was upset with this and wanted him to know she was serious.

I asked [REDACTED] if she felt in danger or if she felt she was going to harm anyone. [REDACTED] stated no. [REDACTED] had already set up an at home meeting with the Crisis line and they were in route to her residence. I contacted the Crisis line and asked if they wanted us to remain at the residence until they arrived. I was advised that was not necessary. I advised them that [REDACTED] was not a threat and had no weapons to follow through with anything. I told them she was seeking marriage counseling.

I spoke with [REDACTED] for some time then left the area.

[REDACTED]

Responsible LEO: _____

Approved by: _____

Date: _____

[REDACTED]

**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.**