

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-137

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Judge:

Complainant:

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**ORDER**

July 23, 2020

The Complainant alleged that a superior court judge relied on false evidence and made incorrect legal and factual findings in a child custody matter.

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).

Copies of this order were distributed to all appropriate persons on July 23, 2020.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2020-137

**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 presented clear evidence which showed our son and the judge dismissed it after (their mother) admitted to throwing a can and hitting our son in the face after she had denied doing so to Child Services. I brought the video showing the bruise caused by \_\_\_\_\_ with both he and his sister \_\_\_\_\_ admitting to their mother's act of abuse.

I also showed after \_\_\_\_\_ submitted false testimony and evidence about her income a document from her company with her actual salary which was about \_\_\_\_\_ more than she has been reporting since \_\_\_\_\_ when I filed for divorce. The judge ignored this blatant perjury stating blatantly in her ruling that this did not occur.

The judge also blatantly lied saying I did not complete the High Conflict Parenting Class, which I did!

The judge intentionally advised me not to show evidence proving my innocence in the abuse claimed against me. With her refusing to hear my evidence, I stated I was assaulted by [redacted] and I did not hit her. She blatantly lied saying I did not refute the claims of abuse. She also stated father has been aggressive toward mother after I told her I have never been. She ignored my testimony about my income which I have provided evidence for; preferring to side with the judge in [redacted] who lied about my income stating she was not sure why he attributed this much to me. I have never earned what they claim and have testified to this and provided evidence. The judge ignored me clearly proving the financial hardship dad has experienced has been because of the misleading testimony and false evidence provided by [redacted] in this case.

The judge lied saying I wanted mom to put them in school by my home. In court I showed the school was right by mom's home and better than the two schools which were unreasonably far. The schools require our children to be in the car between 4 and 5 hours a day.

The judge stated the parties have difficulty cooperating, but failed to attribute it to mom. The judge later wrote mom does not seem to consider dad. So, the judge ignores the evidence and lies about me not refuting her having legal decision-making and gave her legal decision making.

The judge ignored my testimony when I said the children are not in activities and her hair braiding was too far and I would not take her. This is also what has caused our daughter's bald spots. I have shown this and the judge ignored it and believed [redacted] testimony over my evidence. [redacted] did not provide a single piece of evidence, where I had evidence clearly showing all my positions to be truthful and in the best interest of our children.

Judge ignored my testimony as I mentioned mom has repeatedly tried to alienate our children from me to say both parties are equally likely to allow children to communicate with the other parent.

The judge even ignored the wording of my children's testimony via video to change the wording of their mother's abuse to make it sound accidental and not as extreme saying "tossing a can" when she threw it and left a large and tender bruise on my son's face.

The judge falsely claimed I did not attend the high conflict parenting class, which I did on

Judge ignored my testimony saying mom refused to provide w2s because she knew they would expose her for committing perjury and using the children as pawns creating the instability dad experienced because dad was to be awarded more than [redacted] per a month. Since mother was always the primary provider during our more than [redacted] year marriage.

Please review this file and take action to ensure other children are not subjected to abuse like this because of the intentional lies and neglect of a judge.

Arizona Revised Statutes Annotated  
Rules of Family Law Procedure

Arizona Revised Statutes Annotated  
Rules of Family Law Procedure (Refs & Annos)  
Part X. Judgments and Decrees (Refs & Annos)

17B A.R.S. Rules Fam.Law Proc., Rule 83

Rule 83. Altering or Amending a Judgment

Currentness

I filed within days

(a) Generally.

(1) *Grounds for Altering or Amending a Judgment.* The court may on its own or on motion alter or amend all or some of its rulings on any of the following grounds materially affecting a party's rights:

(A) the court did not properly consider or weigh all of the admitted evidence;

(B) any irregularity in the proceedings or abuse of discretion depriving the party of a fair trial;

Never knew about her claims. She never served me.

(C) misconduct of the other party;

lies about abuse of her income

(D) accident or surprise that could not reasonably have been prevented; as well as Dad's

(E) newly discovered material evidence that could not have been discovered and produced at the trial with reasonable diligence;

(F) error in the admission or rejection of evidence, or other errors of law at the trial or during the action;

Court records say false claims in its ruling

(G) mistakenly overlooked or misapplied uncontested facts, including mathematical errors, which were necessary to the ruling; or

(H) the decision, findings of fact, or judgment is not supported by the evidence or is contrary to law.

I refuted abusing her and objected

Judge violated the law and facts to her hearing

(b) **Court Action.** The court may vacate the judgment if one has been entered, take additional testimony, amend findings of fact and conclusions of law or make new ones, and direct the entry of a new judgment. The relief, if granted, must be limited to the question or questions found to be error, if separable.

(c) **Time to File a Motion; Scope; Response and Reply.**

## Rules of Family Law Procedure

### Arizona Revised Statutes Annotated

#### Rules of Family Law Procedure (Refs & Annos)

#### Part I. General Administration (Refs & Annos)

### 17B A.R.S. Rules Fam.Law Proc., Rule 4

## Rule 4. Computing and Extending Time

### Currentness

**(a) Computing Time.** The following rules apply in computing any time period specified in these rules or in any local rule, court order, or statute:

(1) *Day of the Event Excluded.* Exclude the day of the act, event, or default that begins the period.

(2) *Exclusions if the Deadline Is Less Than 11 Days.* Exclude intermediate Saturdays, Sundays, and legal holidays if the period is less than 11 days.

(3) *Last Day.* Include the last day of the period unless it is a Saturday, Sunday, or legal holiday. When the last day is excluded, the period runs until the next day that is not a Saturday, Sunday, or legal holiday.

### **(b) Extending Time.**

(1) *Generally.* When an act may or must be done within a specified time, the court may, for good cause, extend the time:

(A) with or without motion or notice if the court acts, or the request is made, before the original time or its extension expires; or

(B) on motion made after the time has expired if the party failed to act because of excusable neglect.

*I filed timely*

(2) *Exceptions.* The court may not extend the time to act under Rules 83 or 85 unless otherwise allowed by those rules, or:

(A) the court finds that the moving party was entitled to notice of the entry of judgment or the order, but did not receive notice from the clerk or any party within 21 days after its entry;

(B) the moving party files the motion within 30 days after the specified time to act expires under these rules or within 7 days after the party received notice of the entry of the judgment or order triggering the time to act under these rules, whichever is earlier; and

SIGNED COPIES WERE HAND DELIVERED TO:THE FOLLOWING ON THIS DATE

SIGNED COPIES WILL BE MAILED/EMAILED TO: