

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-343

Judge:

Complainant:

ORDER

March 4, 2021

The Complainant alleged a municipal court judge would not assist him in correcting an alleged error on a protective order.

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 J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 4, 2021.

Attachments:

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Cc:

Subject: Complaint against Judge

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear AZ Commission on Judicial Conduct,

My complaint is against Judge _____ of the _____ who signed the attached _____

I spoke with the _____ at the phone number on the attached _____ printout _____, the _____ (the _____ for Arizona) at _____ and the _____ at _____

According to the _____ “The **Court** is responsible for the inaccurate language, reporting, and verbiage”, and according to the Court, the _____ is responsible.

The _____ indicated they are not involved in either process, and recommended that I contact the Court of origin, the _____ which sounds logical. Judge _____ has not provided me with an explanation, which is all I am asking for.

Thank you,

ORDER OF PROTECTION

Amended Order

Case No.
Court ORI No.
County State

PLAINTIFF

First Middle Last

PLAINTIFF IDENTIFIERS

Plaintiff's Date of Birth

And on behalf of any minor family member or Protected Person listed below. (List name and DOB.)

V.

DEFENDANT

First Middle Last

Defendant/Plaintiff Relationship: Live/Lived Together As Intimate Partners

Defendant's Address:

CAUTION: Weapon Alleged in Petition

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
EYES	HAIR	<i>Arizona Prohibits Release of Social Security Numbers</i>		
<input type="text"/>	<input type="text"/>			
DRIVER LICENSE #	STATE	EXP DATE		
<input type="text"/>	<input type="text"/>	<input type="text"/>		

Estimated Date of Birth

WARNINGS TO DEFENDANT: This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, or any U.S. territory, and may be enforced by Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. § 2262). Because of this order, it may be unlawful for you to possess or purchase a firearm or ammunition pursuant to federal law under 18 U.S.C. § 922(g)(8) or state, tribal, territorial, or local law. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney. **Only the court, in writing, can change this order.**
This order is effective for one year from date of service.

THE COURT HEREBY FINDS THAT:

It has jurisdiction over the parties and the subject matter.

Defendant received actual notice of this hearing and had an opportunity to participate.

THE COURT, finding reasonable cause to believe that Defendant may commit an act of domestic violence or has committed an act of domestic violence within the past year (or good cause exists to consider a longer period),

HEREBY ORDERS:

NO CRIMES. Defendant shall not commit any crimes, including but not limited to harassment, stalking, or conduct involving the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury, against Plaintiff or Protected Persons.

NO CONTACT. Defendant shall have no contact with **Plaintiff** except through attorneys, legal process, court hearings, and as checked: Phone Email/Fax Mail Other: _____

NO CONTACT. Defendant shall have no contact with **Protected Persons** except through attorneys, legal process, court hearings and as checked: Phone Email/Fax Mail Other: _____

THE COURT FURTHER ORDERS:

From:
To:
Cc:
Subject:
Date:
Importance: High

From:
Sent:
To:
Cc:
Subject:
Importance: High

Dear Judge

I have not received a response from _____, or anyone from your Court. Since you are the Presiding Judge, I thought I would address this to you.

Please provide me with a response to my Email below, or I will be submitting a RISK Management Claim to the _____ Clerks Office next week.

Thank you,

From:
Sent:
To:
Cc:

Subject: Receipt for Weapons

Dear Lieutenant _____ and Sergeant _____

I was denied my request to release the firearm that I turned in to Sergeant _____ on _____. I'm currently waiting for a response from the _____ but wanted to provide you with the attached for the record.

In _____ of this year, an _____ was issued in _____, and **the Judge denied the Plaintiff's request for _____** attached is the _____ also an audio of the Judge's ruling. The Courts audio quality is not great, but you can still make out all the words.

At approximately _____ into the clip, the Arizona Judge rules that, "**The Court is not going to prohibit the use of firearms.**"

I will update you when I receive a response from the _____

Please notify the Gun Desk not to dispose of my firearm.

Thank you,

**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.**