

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-301

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Judge:

Complainant:

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**ORDER**

December 17, 2024

The Complainant alleged a superior court judge was biased by making inappropriate comments about the merits and nature of a case during sentencing, did not consider the victim statement she submitted to the court, and allowed defense counsel to call her a liar.

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 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 members Denise K. Aguilar and Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 17, 2024.

2024-301

**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.

I am a criminal defense attorney with a practice in \_\_\_\_\_ since \_\_\_\_\_ I was on the \_\_\_\_\_ County panel from \_\_\_\_\_ to \_\_\_\_\_ I am on the \_\_\_\_\_ panel from \_\_\_\_\_ to present and continuing. I am in good standing, with no record of discipline, no allegations of malpractice or allegations of ineffective assistance of counsel in a post-conviction action.

I have a brother named \_\_\_\_\_ who began harassing me for a copy of my mother's will, attempting to force her to make changes to that will and to have his name placed on her bank accounts. I had her Power of Attorney and was the Successor Trustee on her Revocable Trust. The harassment was so relentless that I obtained an Order of Protection providing that he have no contact with me. He violated that Order on at least \_\_\_\_\_ occasions and was charged with Aggravated Harassment. He plead to a misdemeanor Interference with Judicial Proceedings and was sentenced on \_\_\_\_\_ before Judge \_\_\_\_\_ in \_\_\_\_\_ Defendant's fraud and theft from his mother's bank is in a new case.

On \_\_\_\_\_ I hand delivered a letter to the Judge's chambers to inform the Judge of \_\_\_\_\_ character and of the many other instances of illegal activity he had been engaged in although there were no convictions for those acts. I informed the judge of a new indictment that would be coming down from the grand jury involving my brother hacking into my mother's bank account and attempting to steal thousands of dollars. That was one of many circumstances demonstrating my brother's propensity for criminal conduct.

On \_\_\_\_\_ my friends \_\_\_\_\_ and \_\_\_\_\_ accompanied me to the sentencing hearing to lend moral support. They witnessed the conduct of Judge \_\_\_\_\_ They also witnessed the conduct of defense attorney \_\_\_\_\_, who I have filed a bar complaint against for violations of ethical rules and code of professional conduct. She informed the court that my letter was " \_\_\_\_\_ Judge \_\_\_\_\_ did nothing and said nothing while a defense attorney defamed a fellow member of the \_\_\_\_\_ and a victim in a domestic violence case.

When the Court went on the record, the Judge indicated he had not seen a letter from me, the victim. He shuffled around the paperwork on the bench and found the letter. He said, " \_\_\_\_\_ It was \_\_\_\_\_ pages long, about fifty lines per page, and he spent all on twenty seconds looking at it. I saw his eyes scan across each page approximately 3 or 4 times. He did not read it.

He addressed the Defendant in a most peculiar way. The Judge stated that he couldn't believe this case even got to his court because of its lack of merit. He informed \_\_\_\_\_ that he had to give him \_\_\_\_\_ months of probation and \_\_\_\_\_ domestic violence classes, but if the plea and the statute had not required it, he would not be imposing those conditions. I am paraphrasing but I suggest your get the transcript. I fell belittled, humiliated and bullied. The Judge said if \_\_\_\_\_ could bang out the classes in a month or two he could come back and request early termination of his probation and he would be pleased to grant the request. All the while, the prosecutor de jour said nothing about the conduct on behalf of the defense attorney or the judge. Judge \_\_\_\_\_ violated the Victim's Bill of Rights, failed to conduct himself with fairness and impartiality, and shouldn't be sitting on the bench, and definitely should not be presiding over the new fraud and theft case,

**CONFIDENTIAL**

Arizona Commission on Judicial Conduct  
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Phoenix, Arizona 85007

**FOR OFFICE USE ONLY**

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Having practiced criminal law for \_\_\_\_\_ years, I have never witnesses such pandering to a defendant and disrespect to a victim. In objective terms I believe that to be true. I am requesting the Commission obtain a copy of the transcript of \_\_\_\_\_ sentencing before Judge \_\_\_\_\_

No victim should be treated thus, and particularly one that is a member of the \_\_\_\_\_ and subject to a code of conduct which demands candor to the court. For counsel to describe my statements as, \_\_\_\_\_ and for the Court not to silence her in that regard is unconscionable. The catering to the defendant, calling the case meritorious and frivolous, those are things no victim ever needs to hear.

I have suffered immeasurable stress due to my brother's conduct. His actions toward me and toward our mother were outrageous and caused us both a lot of grief. She was dealing with all of that frustration up until the date of her death on \_\_\_\_\_ at the age of \_\_\_\_\_. For a judge to condone criminal conduct and offer opinions as to the merit of the case is improper and inappropriate.

I would like to see Judge \_\_\_\_\_ replaced on the criminal bench with someone fair and impartial, who treats people with dignity, and does not display his personal gut feelings about a case while directing those comments to the parties from the bench. He has not had access to the disclosure, the witness statements or the photographs and videos contained in the County Attorney's file. His unsolicited comments were rude, disrespectful and humiliating.