

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 24-329

---

Judge:

Complainant:

---

**ORDER**

October 25, 2024

The Complainant alleged a superior court commissioner has ignored his jurisdictional issue in a family law case.

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 October 25, 2024.

**ARIZONA COMMISSION ON JUDICIAL CONDUCT**

Comp

24-329

1501 W. Washington Street, Suite 229  
Phoenix, AZ 85007  
Phone: (602) 452-3200  
Email: [cjc@courts.az.gov](mailto:cjc@courts.az.gov)

Complainant

HONORABLE JUDGE  
Respondent

**EMERGENCY MOTION FOR DISCIPLINARY ACTION AGAINST JUDGE  
AND TO STAY ALL PROCEEDINGS**

**COMES NOW,** \_\_\_\_\_, the Complainant, appearing Pro Se, and respectfully submits this Emergency Motion for Disciplinary Action against the Honorable Judge \_\_\_\_\_ and for an immediate stay of all proceedings in the matter currently before him in the \_\_\_\_\_ County Court, Case \_\_\_\_\_. This motion is filed with urgency as the trial is scheduled to commence on \_\_\_\_\_, and the potential for continued judicial bias and improper rulings could severely impact the fairness of the trial and my legal rights.

**I. INTRODUCTION AND BACKGROUND**

1. **Imminent Trial Date:** The trial in this matter is scheduled for \_\_\_\_\_. Given the recent developments and ongoing concerns about Judge \_\_\_\_\_ conduct, it is critical that this motion be addressed immediately to prevent any further prejudice against me.
2. **Jurisdictional Issue Resolved:** The jurisdictional issue in this case has now been resolved, establishing that the court may not have the proper jurisdiction over the matter as it currently stands. Despite this, Judge \_\_\_\_\_ has actively prevented me from introducing evidence that would show with absolute certainty that Arizona does not have jurisdiction. This refusal to consider such crucial evidence further demonstrates the judge’s bias and improper conduct.
3. **Continued Bias and Improper Conduct:** Despite the resolution of the jurisdictional issue, Judge \_\_\_\_\_ has continued to preside over the case, making rulings that appear biased and improper. His conduct has demonstrated a consistent pattern of favoring the opposing counsel, denying fair treatment to me, and compromising the integrity of the judicial process.
4. **This is Just the Tip of the Iceberg:** The issues outlined above are merely the surface of a much larger problem. The case has been filed fraudulently, and Judge \_\_\_\_\_ recent actions, including his ruling this week, have exacerbated the situation. Despite two motions regarding jurisdiction pending before the court, the judge is literally trying to avoid addressing them by denying motions to continue the case. Just this week, Judge \_\_\_\_\_ denied three motions to continue, which is unprecedented and further indicates his unwillingness to provide a fair trial.

The attached document from \_\_\_\_\_, shows the denial of these motions (MotionsToContinue\_Denied ...).

## II. GROUNDS FOR EMERGENCY RELIEF

1. **Imminent Risk of Irreparable Harm:** The scheduled trial date of \_\_\_\_\_, poses an imminent risk of irreparable harm to my legal rights and interests if Judge \_\_\_\_\_ continues to preside over the proceedings. His demonstrated bias, as evidenced by his rulings and conduct, has deprived me of a fair opportunity to present my case. Allowing the trial to proceed under his supervision is likely to result in further injustice.
2. **Clear Violation of Judicial Standards:** The Arizona Code of Judicial Conduct mandates that judges maintain the highest standards of impartiality, integrity, and fairness. Judge \_\_\_\_\_'s actions have violated these standards, as outlined in the attached evidence, including his prejudgment of issues, improper communications, and inconsistent rulings that favor the opposing party.
  - o **Attorney's Statement During Hearing** (\_\_\_\_\_) : During a hearing on \_\_\_\_\_, my attorney at the time, \_\_\_\_\_, directly confronted Judge \_\_\_\_\_, stating on the record that the court was biased and had not allowed his client to introduce evidence. This statement, made during an official court proceeding, underscores the severity of the perceived bias and adds further credibility to the claim that the judge's impartiality is compromised.
3. **Examples of Inconsistent Treatment:**
  - o **Ruling:** The judge issued a ruling that effectively blocked me from presenting video evidence and obtaining visitation with my children. This decision was made despite my repeated requests to present my evidence, showing little regard for justice or fairness. The ruling also aligned with the intentions revealed in a leaked email on \_\_\_\_\_.
  - o **Contrasting Treatment of Plaintiff:** When the Plaintiff called in sick on \_\_\_\_\_, allegedly due to a staged accident, the court accepted her excuse without requiring any proof or evidence. This contrasts sharply with the rigorous demands placed on me whenever I sought a continuance or other relief.
4. **Further Evidence of Bias and Procedural Misconduct:** On \_\_\_\_\_, my attorney, \_\_\_\_\_, forwarded an email chain concerning the certification of a document crucial to the case. In this exchange, it was revealed that the opposing counsel, \_\_\_\_\_, responded to the court's inquiry by stating that the document was " \_\_\_\_\_," despite \_\_\_\_\_'s earlier representations. This raises serious concerns about the conduct of the opposing counsel and the court's handling of the situation, particularly given that my attorney was excluded from email threads regarding this matter.
5. **Comments and Conduct by Judge Rosales:**
  - o **Comment on Conduct:** On \_\_\_\_\_, \_\_\_\_\_, during one of these hearings, Judge \_\_\_\_\_ remarked that I do not exhibit the " \_\_\_\_\_." This comment was not only inappropriate but indicative of a predetermined judgment of my character, raising questions about the judge's ability to remain impartial.
  - o **Defense of Former Attorney:** On \_\_\_\_\_, Judge \_\_\_\_\_ defended my former attorney, \_\_\_\_\_, despite documented evidence of the attorney's failure to appear for multiple sessions without informing me. The judge also suggested that I don't need an attorney since I wouldn't be allowed to present any evidence on \_\_\_\_\_. The judge's defense of this attorney, even in the face of clear professional misconduct, suggests a bias in favor of the opposing attorney that has adversely affected my case.

## III. LEGAL STANDARD

The Arizona Code of Judicial Conduct mandates that judges maintain the highest standards of impartiality, integrity, and fairness. Rule 2.2 requires that a judge perform all duties of judicial office fairly and impartially, while Rule 2.3 prohibits a judge from manifesting bias or prejudice. Rule 2.11 requires recusal when the judge's impartiality might reasonably be questioned.

In this case, the evidence presented shows a clear pattern of bias, prejudgment, and improper conduct by Judge \_\_\_\_\_, violating the Arizona Code of Judicial Conduct. The conduct of Judge \_\_\_\_\_ has not only deprived me of a fair trial but has also damaged public confidence in the judiciary. The legal standard for impartiality and fairness has been compromised, warranting disciplinary action.

#### **IV. RELIEF REQUESTED**

For the reasons stated above, I, the Complainant, respectfully request that the Arizona Commission on Judicial Conduct:

1. **Initiate Emergency Disciplinary Proceedings:** Commence an immediate investigation into the conduct of Judge \_\_\_\_\_, particularly in light of the resolved jurisdictional issue and the ongoing concerns about his impartiality, with special urgency given the imminent trial date.
2. **Stay All Proceedings:** Order an immediate stay of all proceedings in \_\_\_\_\_ County Court, \_\_\_\_\_, including the trial scheduled for \_\_\_\_\_, until a different judge is assigned to handle the case.
3. **Assign a Different Judge:** Direct that the case be reassigned to a different judge who can handle the matter impartially and in accordance with the Arizona Code of Judicial Conduct.
4. **Impose Appropriate Sanctions:** Impose any sanctions deemed necessary to ensure that Judge \_\_\_\_\_ conduct does not further compromise the integrity of the judicial process.

#### **V. CONCLUSION**

This emergency motion is made in the interest of justice and to protect the integrity of the judicial process. The actions of Judge \_\_\_\_\_, combined with the resolved jurisdictional issue and the imminent trial date, have raised serious concerns about his ability to administer justice fairly and impartially. I respectfully urge the Arizona Commission on Judicial Conduct to take immediate and appropriate action to prevent further harm.

**Respectfully submitted this**

Complainant, Pro Se  
Phone:  
Email:

#### **Attachments:**

- Exhibit A: Documentation of Resolved Jurisdictional Issue
- Exhibit B: \_\_\_\_\_ Email from Court Staff Indicating Prejudgment
- Exhibit C: Evidence of Fraudulent Conduct by Opposing Counsel
- Exhibit D: Emails from Previous Attorneys Documenting Bias, including emails from \_\_\_\_\_ and \_\_\_\_\_
- Exhibit E: Denial of Motions to Continue,

DATED: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

, For Respondent

#### Exhibits

- **Exhibit A:** Court Email Showing Leaked Ruling Intention ( \_\_\_\_\_ ).
- **Exhibit B:** Evidence of Fraudulent Attempt by Opposing Attorney.
- **Exhibit C:** Emails from Attorney \_\_\_\_\_ Documenting Bias.
- **Exhibit D:** Emails from Attorney \_\_\_\_\_ Documenting Bias.
- **Exhibit E:** Court ruling date 0 \_\_\_\_\_ .

**Exhibit A: Court Email Showing Leaked Ruling Intention ( ).**

----- Original message -----

From:  
Date:  
To:  
Cc:  
Subject: RE:

Hi all,

I have no objection to a continuance provided we continue the existing trial dates as well. My reasoning is below:

I'm sorry to hear that [redacted] has the [redacted]. I would hope and expect that if I was in the same position that opposing counsel would show me the professional courtesy not to object.

In this case, though, it seems to me that reading the transcripts from the last hearings, that the current parenting time situation is based on a very one-sided presentation of events (just Mother's testimony and evidence). Further, my understanding briefing with Father's former counsel was that he hoped after Father's presentation to be able to get some parenting time that the court could use as a baseline for determining whether either or both parties would follow court orders and whether either party remained a flight risk with the children after orders are put in place.

It also strikes me that as Mother is Petitioner, and a continuance probably meaning until the trial date, it would mean Mother having two bites at the apple before Father gets a chance to present, and that Mother gets a chance for the temporary orders she requests before trial and Father has no such opportunity.

So although I assume [redacted] needs a continuance, I have to look out for Father's due process rights. That's why I suggest that the balance of the two issues requires both a continuance of the temporary orders and the existing trial dates.

---

From:  
Sent:  
To:  
Cc:  
Subject:

I woke up this morning and I have the [redacted]. I am going to have to ask for a continuance. I will see if someone at my office can do a formal, written request. I apologize

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

CONFIDENTIALITY NOTICE: This e-mail and any attachments may be confidential or legally privileged. If you receive this message in error or are not the intended recipient, you must destroy the e-mail message and any attachments or copies, and you are prohibited from retaining, distributing, disclosing or using any information contained therein. Please inform me of the erroneous delivery by reply e-mail. For safety and confidentiality you may contact me by phone at the number above.

NOTE: If you are a client, do not forward this email to anyone. Doing so may cause you to waive the attorney-client privilege.

**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.**