

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-419

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Judge:

Complainant:

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**ORDER**

February 20, 2025

The Complainant alleged a superior court judge violated due process in a civil 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 reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. Further, the Commission having found no good cause, the Complainant's request for a copy of the judicial officer's response is denied.

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 February 20, 2025.

Comp

2024-419

Commission on Judicial Conduct  
1501 W. Washington St., Suite 229  
Phoenix, AZ 85007

Re: Judge \_\_\_\_\_, Fourth Updated Complaint:  
Requesting Answers to the Charges of Abuse of Discretion - Rule 19

Dear Commissioners:

On \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, you were mailed my Complaints regarding Judge \_\_\_\_\_ conduct. Since that time, the \_\_\_\_\_ Court has provided language to use in regards to the above escalated claim of **abuse of discretion**. This Complaint escalates my claim of bias by Judge \_\_\_\_\_ and is no longer merely a matter for this Commission to make these issues a part of Judge \_\_\_\_\_ record in the Commission's file. Today, I ask this Commission for Judge \_\_\_\_\_ answers to these charges.

A court of competent jurisdiction needs to follow Rule 19 case law before issuing orders that defy case law. The court needs to understand Rule 19 before attempting to force a party to sue Rule 19 necessary parties.

Judge \_\_\_\_\_ is violating case law by using an inappropriate focus on the word "plaintiff" in ordering Me to join the Rule 19 Parties rather than \_\_\_\_\_ and \_\_\_\_\_, who seek abandonment of my \_\_\_\_\_ Declaration of CC&Rs for the purpose of continuing their misdeeds and to defy my \_\_\_\_\_ adjudicated right to seek Injunctive Relief. Note how long this case has dragged on.

Judge \_\_\_\_\_ is setting dangerous precedents in the entire state of Arizona that will chill any future Plaintiff from attempting to enforce Covenants, Conditions and Restrictions in their Subdivision.

The word Plaintiff, in case law regarding Rule 19, needs to be viewed in context of the matter.

As a long-standing benchmark in case law, the *Kamer v. Roy White Flowers* case quoted *Sheets*; "If plaintiff desires to have this covenant invalidated and stricken from the deed of the original grantee, he must bring in the interested parties and give them a

day in court." *Sheets v. Dillon*, 221 N.C. at 432, 20 S.E.2d at 348 (emphasis added).

In all case laws to date - with the exception of this dangerous precedent being established in Arizona by Judge \_\_\_\_\_ - the party who seeks abrogation must bring in the necessary parties. \_\_\_\_\_ was the "Plaintiff" who wanted to invalidate a deed restriction so \_\_\_\_\_ could be forced to buy his land. In other words, the "movant" on abandonment is the party who **must** join Rule 19 parties.

Judge \_\_\_\_\_ is either incompetent for following case law or is biased and needs to be taken off of the case as a visiting judge to \_\_\_\_\_ County as assigned by Judge \_\_\_\_\_ who is a party to this Complaint and recused himself until he had the opportunity to assign Judge \_\_\_\_\_ to this case - apparently in desperation.

The Defendants in \_\_\_\_\_, \_\_\_\_\_ Defendants as described by Attorney \_\_\_\_\_, are the movants who seek to claim abandonment of the Declaration of CC&Rs. They are the plaintiffs, if you will, for joining the Rule 19 parties and not to be confused with ME, the movant who filed the Complaint to enforce the CC&Rs.

Judge \_\_\_\_\_ is also charged with **abuse of discretion** for ordering ME to sue the Rule 19 parties when I have no grounds upon which to sue parties who have no violation whatsoever and have undeveloped lots.

This is a second dangerous precedent being established in Arizona as an Abuse of the intent for Rule 19. A Judge is NOT allowed to force anyone to sue people and to force them to sign a "Notice of Law Suit" to that affect and mail it in the Service Packet.

When I filed an Action for the Court to inform me on what he expected me to sue the Rule 19 parties for, he did not respond at all, let alone follow his duty per the Arizona Constitution to respond within 60 days.

I argued that I had no grounds for suing the Rule 19 parties and was already suing eight of the Rule 19 parties in a different case. Judge \_\_\_\_\_ knows he has no grounds to claim that I can sue over \_\_\_\_\_ of the necessary parties and that I would be held in contravention in the other case.

He then **violated due process** by declaring me in Contempt of Court without holding a hearing on why I had an **inability to sue the Rule 19 parties.**

His contempt of court ruling further establishes a dangerous precedent where he dismissed the case and awarded the defendants more attorney fees that now has escalated to over \_\_\_\_\_ from an \_\_\_\_\_ year old widow living on a fixed income of less than \_\_\_\_\_ per month.

The Gag Order is a violation of my Constitutional Rights. Why is a Plaintiff who files a Complaint to protect her Subdivision from violations of her CC&Rs, and did nothing wrong as a Plaintiff in that case, ordered not to discuss the case directly or indirectly with Rule 19 parties?

I have been isolated from my neighbors with this Gag Order. This is not a good thing per my doctor for the medical condition that has resulted from the stress to protect my property from tyranny and fraud.

Acting in the capacity of President of the Unincorporated Association to inform property owners of a potential for a Class Action had nothing to do with the defendants in this case where multiple developers and the County have caused massive violations of County approved Resolutions for twenty foot setbacks in the entire Subdivision Tract 4076 due to the time delays in resolving this case. The County resolutions were approved to conform to my Declaration of CC&Rs.

Please respond to this matter quickly so your response can be included in my Appeal in  
and my expected pending Court Petition for Review.

For expediency, please mail your response and also send me a PDF by email.

Respectfully,

cc AG criminal agent  
cc judicial assistants to  
cc Atty