

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-477

Judge:

Complainant:

ORDER

February 20, 2025

The Complainant alleged a superior court judge made improper rulings, possibly to retaliate for prior judicial conduct complaints.

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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 20, 2025.

I, _____, hereby submit a formal complaint against Judge _____. I assert that the minute entry from _____, in question violates fundamental principles of judicial conduct, and I respectfully request an investigation into the alleged misconduct of Judge _____. It appears that Judge _____ may be retaliating against me, particularly if she is aware of my complaints against Judge _____ and Judge _____ in the _____ (_____). As well as working with Judge _____ to intentionally target _____ improperly as a vexatious litigant. _____ has already filed a request with the Court in _____ case to have Judge _____ recuse herself for her unprofessional conduct towards _____. Judge _____ is no longer presiding over _____ case. Additionally, complaints have been submitted against Judge _____, Judge _____, and Judge _____ in the _____ case (_____). Judge _____ now appears to be targeting me by suggesting that I may qualify as a vexatious litigant due to the multiple increased and duplicative filings, including those seeking protective orders against opposing parties _____ and _____. It is _____ constitutional right to defend myself against wrongful complaints and harassment, free from retaliation by Judge _____ or any other Judge for doing so. Judge _____ lack of decorum and professionalism towards me violates multiple provisions of the Arizona _____ Court Rule 81, the Rules of the _____ Court of Arizona Judicial Code of Conduct.

Factual Background

On _____, the _____ Court ruled in favor of _____.

1. **Denial of Attorney Fees to _____ (Quantum Meruit):** The court ruled that Lawyer is entitled to " _____ ." (Aztec Film, 116 Ariz. at 470 (citation omitted)). Lawyer argued that his actual damages should include additional amounts unrelated to the breach, such as:

- The discount he accepted to settle,
- Acceptance of payment in installments rather than a lump sum,
- Waiver of claims against Client,
- The _____ deductible he paid to his insurance carrier before the Settlement Agreement was made, and
- The "fees" he incurred as a pro se litigant to respond to Client's motions.

The court disagreed, limiting Lawyer's damages to losses incurred due to Client's late payments (see Dobson Bay, 242 Ariz. at 112-13).

2. **Reversal and Remand:** The _____ Court reversed and remanded the case to the _____ court for proceedings consistent with their decision. The _____ court vacated the Final Judgment and ruled that _____ is entitled to costs on appeal.

"

." (§22)

3. **Attorney Fees on Appeal:** The court declined to award attorney fees to the Client () because she is a pro se litigant. However, she is entitled to her costs on appeal, upon compliance with ARCAP 21.

"

." (§23)

1. Complaint in

filed a complaint in for a medical malpractice case against . Due to the Settlement Agreement, the information is confidential, and is barred from discussing any details. represented in the Case and was terminated in for mishandling the case, which led to its dismissal on . appealed the case and was granted a portion of the claims.

There is no wrongdoing by in filing this complaint, contrary to Judge assertions in her minute entry dated . It is who unlawfully attempted to collect additional attorney fees on a Final Judgment. The Court also found that Judge , in case , abused his discretion in denying justice.

constitutional rights continue to be violated by this court, specifically Judge and Commissioner (there is a separate complaint filed for)

even after the Court's final decision, which intentionally prevents from accessing her money.

2. filing of Motion to Release Funds

filed Defendant's Motion to Release Funds Writ of Garnishment and Quantum Meruit for Attorney Fees. , trustee holding the lien for attorney fees of in its trust account, would not release the funds without a court order, despite the Court's decision denying attorney fees. Commissioner minute entry on , denied Motion to Release appeal bond and attorney lien due to filing a Motion for Reconsideration on , without notifying the Defendant.

The Court denied Motion for Reconsideration on . On , amended a request for the release of the appeal bond of held by the County Clerk and the release of the attorney lien for .

Additionally, and have a non-disparagement clause in their Settlement Agreement, which continually breaches. sent email notices of this breach to and his attorney, , starting on , and followed up on , both of which were ignored.

3. Filing of Cease-and-Desist Letter and AZ POINT Petitions

, in Case , sent a letter to and in , falsely claiming that he represented in the Case and that he was entitled to the funds being held in the case due to the Pre-Judgment Writ of Garnishment improperly granted to on , by the courts in the case. The case was still ongoing, and had not been granted a Final Judgment.

Additionally, the court in the _____ case does not have the authority or jurisdiction to interfere in another case, especially when it is currently under review by the _____ Court.

_____ sent Cease and Desist letters to both _____ and _____ on _____, to halt the improper communication. The Settlement Proceeds information is confidential and should not be discussed with third parties, especially when _____ has not proven any debt owed.

During the ongoing harassment from both _____ and _____, _____ filed petitions with AZPOINT to obtain injunctions for harassment against _____ and _____. All petitions were denied, as the courts advised that _____ would need to file the injunctions within the presiding cases. _____ has refiled Arizona _____ complaints against both _____ and _____ and these cases are currently ongoing. _____ has filed multiple motions with complaints against _____ in Case _____, which have been ignored by the courts. Judge _____ is falsely claiming that _____ is a vexatious litigant because _____ has been exercising her right to defend herself against ongoing harassment from _____ and _____.

_____ recently filed a request for an Injunction Against Harassment in the _____ case on _____. Commissioner _____ denied _____ motion on _____, advising that the requests for Injunction Against Harassment must be filed using the form available through the Court's Protective Order Center and must be filed under a separate case number. _____ filed another petition on the AZPOINT website and received a hearing in the _____ Court. The judge questioned why _____ was filing the petition in his court and not in the court handling the _____ case. _____ submitted Commissioner

**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.**