

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-502

Judge:

Complainant:

ORDER

March 28, 2025

The Complainant alleged a superior court judge made improper rulings regarding jurisdiction and a virtual appearance by the prosecutor in a criminal 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 March 28, 2025.

Judicial Conduct Complaint

COMD

The allegations pertain to proceedings in

Court Case No.

2024-502

Relief Requested:

Petitioner respectfully requests an investigation by the Arizona Commission on Judicial Conduct into Judge failure to uphold her constitutional oath, procedural obligations, and ethical duties, as outlined under Arizona law, the U.S. Constitution, and international legal standards.

Violations and Supporting Case Law

1. Failure to Address Jurisdiction

Despite 11 jurisdictional challenges, Judge failed to rule on whether the court has subject matter, personal, or territorial jurisdiction.

Jurisdiction is a threshold issue that must be resolved before any substantive proceedings. **Ex parte McCardle, 74 U.S. 506 (1869)**; Jurisdiction must be resolved before proceeding. **Steel Co. v. Citizens for a Better Environment, 523 U.S. 83 (1998)**; Jurisdiction cannot be deferred.

2. Judicial Breach of Oath

Judge violated her constitutional oath under **Article 6 of the U.S. Constitution** and **Article 22, Section 20** of the Arizona Constitution by refusing to rule on jurisdiction and allowing proceedings to continue.

Acts contrary to the Constitution are void; **Marbury v. Madison, 5 U.S. 137 (1803)**.

Courts are fictitious entities and must remain within their statutory limits, **Taft Co. v. Alber, 185 Iowa 1069**

3. Ethical Violations

Judge conduct violates **Canons 1, 2, and 3 of the Arizona Code of Judicial Conduct**, which mandate impartiality, competence, and adherence to the rule of law.

The refusal to address procedural defects and constitutional breaches demonstrates bias and partiality.

4. Disregard for International and Tribal Protections

Judge ignored Petitioner's tribal and diplomatic status, violating:

- **Williams v. Lee, 358 U.S. 217 (1958)**; States cannot interfere with sovereign tribal matters.
- **UNDRIP Articles 3, 8, and 33**; Protect Indigenous self-determination and identity.
- **Vienna Convention on Diplomatic Relations (1961)**; Ensures diplomatic immunity.

5. Specific Allegations of Judicial Misconduct:

1. Retroactive Entry of County Attorney's Motion to Appear Virtually:

On _____, during a scheduled hearing, I objected to the County Attorney's virtual appearance on the grounds that the motion had not been ruled upon.

Judge _____ verbally stated that she was "allowing" the virtual appearance at that time, confirming no prior ruling existed.

However, subsequent court records retroactively indicate the motion was granted on _____, creating a false timeline. This discrepancy demonstrates potential fraud and undermines the transparency of judicial proceedings.

The court retroactively created or altered records to show that the County Attorney's motion to appear virtually was granted prior to the hearing (dated _____), but this was not true at the time of the hearing, this constitutes potential fraud and procedural misconduct.

Fraud upon the court undermines the integrity of the judicial process and are grounds for vacating judgments or dismissing cases; **Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)**

A motion to appear virtually requires an official ruling that should be transparent and on the record. The court failed to issue a timely ruling and retroactively created one, this is a violation of my right to due process.

Due process requires timely and transparent rulings on motions to ensure fairness; **Mathews v. Eldridge, 424 U.S. 319 (1976)**.

2. Misrepresentation of Defendant's Statements:

Court entries falsely claim I agreed to " _____ " which I did not. Instead, I consistently questioned jurisdiction, which is evident from the record of proceedings and filings.

The false recording of my statements constitutes a breach of judicial integrity and impartiality and is misrepresentation of statements by the court or its agents which violates the principle of procedural fairness. **Napue v. Illinois, 360 U.S. 264 (1959)**.

3. Failure to Address Jurisdiction:

Despite repeated challenges to jurisdiction, Judge _____ has refused to address this threshold issue. Jurisdiction must be established before any substantive proceedings, per *Ex parte McCardle, 74 U.S. 506 (1869)*.

This omission violates judicial duty and demonstrates a disregard for fundamental legal principles.

Violations of Judicial Ethics:

- **Canon 2;** Judges must avoid impropriety and the appearance of impropriety. Retroactively altering court records and refusing to address jurisdiction are clear violations of this canon.
- **Canon 3;** Judges must perform their duties impartially and diligently. Failing to rule on motions in a timely manner and misrepresenting court proceedings breach this canon.

Relief Requested

1. Disciplinary Action Against Judge

For failing to address jurisdiction, procedural violations and committing fraud upon the court.

2. Dismissal of all charges with prejudice for lack of jurisdiction, procedural violations, constitutional oath violations and committing fraud upon the court.

3. Mandate Training on Tribal and Diplomatic Protections.

4. An internal investigation into the actions of judge _____, _____, and _____

5. Recusal of both judge _____ and _____ for their repetitive procedural and constitutional violations.

6. Judicial oversight.

Respectfully,

/S/ _____ aka Ambassador
Authorized representative / Implied surety
Ambassador of the
Tribal affiliate of the
Law Commissioner of

Expires _____

Petitioner contact information:

C/o

Arizona []

Witness List

- 1. Advisory Counsel
- 2.

COURT OF ARIZONA
COUNTY

Comp Attach 1

CLERK OF THE COURT 2024-502

Deputy

HONORABLE

STATE OF ARIZONA

v.

(001)

JUDGE

MINUTE ENTRY

The Court is in receipt of the State's Motion for Virtual Appearance, filed on

Good cause appearing,

IT IS ORDERED allowing the State to appear virtually for the Comprehensive Pretrial Conference (CPTC) on _____ at _____ before this Division.

**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.**