

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-401

Judge:

Complainant:

ORDER

March 29, 2024

The Complainant alleged a superior court commissioner made improper legal rulings 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 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 29, 2024.

2023-401

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.

Judge Defendant

Clearly showed bias against before the oral argument hearing where Judge Denied the Defendant's Motion to Set Aside Judgment under Rule 60(d)(3) for fraud on the court. By doing so Judge protected the attorney's and from any actions brought against them by the Arizona for fraud. In the first week of the Defendant received a copy of a Application for writ of General Execution weeks after he left Prison for a Judgment by Default that was ordered in while the Defendant was incarcerated. The Defendant had no knowledge of any complaint or order against him and went to the court records to see what it was about. Because the Defendant used to be a private Investigator and a Process Server he knew that the Process Server and the Attorney's falsified Declarations and applications for service by Publication to unlawfully obtain a Default Judgment against the Defendant.

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

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On the Defendant filed a Motion to Deny Application for writ of General Execution Explaining how easy it was to locate the Defendant even by and that the attorneys knew the Defendant was incarcerated the whole time. In the attorney's Response, ~~Att.~~ Submitted a restricted and redacted Search with the Defendants name to mislead the court and make it look like they could not locate the Defendant. In the response even States they waited until the Defendant got out of Prison before trying to collect the Judgment. This clearly showed they knew where the Defendant was the whole time and accrued cents a day for interest on top of the Judgment.

On the Defendant filed a Reply But Judge did not read it and made his decision without reading the Reply as stated in his order which showed he was bias and did not care what the Defendant had to say.



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Because Judge showed bias, the Defendant had to go around his court and file a complaint against the Process Server. On the Honorable Process Server license of ^{revoked the} ^{for making} false records. At that time the Defendant had proof of fraud on the court and filed the motion to set aside the judgment under Rule 60(d)(3) on ^{which was the order of Judge} ^{in it. On} the attorneys responded with the same type of response except for the false ^{Search} in Exhibit 9 of the first response, on the Defendant filed a Reply that not only enforced the fraud, it obtains a real copy of a ^{Search that clearly showed where} the Defendant was at all times and also showed the intentional misleading of the court if the court even cared. Judge then ordered the ^{hearing where he stated there} was no evidence to prove fraud on the court and denied the Defendant's Motion.

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On the Defendant filed a Notice of Appeal as he expected from the time he realized Judge is biased against him, but that does not excuse him to continue to allow these attorneys to use the courts to commit fraud and in a sense makes him their partner in crime.

COPY

CLERK OF THE

COURT

DEPUTY CLERK

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Defendant Pro-se

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In The Court Of The State Of Arizona

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In And For The County Of

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10

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No.

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Plaintiff,

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v

Motion To Deny Application
For Writ Of General
Execution

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Defendant.)

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Comes now Defendant's Motion to Deny

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Application for Writ of General Execution for

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the following reasons.

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Judgment was wrongfully obtained
against through the Court

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by service by Publication,

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was unable to view the publications posted

**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.**