

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-429

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Judge:

Complainant:

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**ORDER**

April 12, 2024

The Complainant alleged a superior court commissioner exhibited bias and did not afford her equal time in an injunction against harassment hearing.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 12, 2024.

**2023-429**

**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.

Case Background: I previously obtained an injunction against harassment against \_\_\_\_\_ (plaintiff in this case) on \_\_\_\_\_ in the justice court prior to this one against me in the \_\_\_\_\_ court. This case was an injunction of harassment that was obtained on \_\_\_\_\_ after \_\_\_\_\_ was notified that she was being served by the \_\_\_\_\_ County Sheriff Civil Division.

Complaint 1- Exhibits Misconduct:  
I filed a motion with the judge. I requested that copies of \_\_\_\_\_ exhibits be sent to the court so that I can receive a copy of them. \_\_\_\_\_ had previously sent the court exhibits, but did not give the required 3 copies to the court. The court accepted what she sent regardless. The court directed her to send a copy to me which she wasn't supposed to do since the judge already knew that I had an injunction against harassment order against \_\_\_\_\_ wasn't supposed to communicate with me directly, and the order had been served on her the previous day. I received a \_\_\_\_\_ document folder at my apartment in which loose papers were inside of it. When I came to court for the hearing on \_\_\_\_\_ I let the judge know in court that I received papers (exhibits) but nothing is labeled, and I don't know if what I received was the same as what the judge received. The judge ignored my concern and continued the hearing regardless. There was even a blank motion form in the folder sent to me. Nothing was numbered or labeled. There was no exhibit list or cover sheet of any kind. I wanted to review what the court had and compare it to what I had, but that was never allowed. The hearing continued and I was confused throughout the hearing as to what exhibit was what. There were exhibits that I saw that didn't even have any kind of date on them, and I don't know if the court had the same thing.

Complaint 2 - Misconduct - Judge Allowed Plaintiff Openly to Lead Witness: The judge allowed \_\_\_\_\_ to openly lead a witness while they testified under oath. During my cross examination of \_\_\_\_\_ (the spouse of \_\_\_\_\_) \_\_\_\_\_ would answer my questions then \_\_\_\_\_ would say \_\_\_\_\_ or \_\_\_\_\_ and then he would answer my question again with a different answer. This happened multiple times. He was lying under oath openly and allowed by the judge.

Complaint 3 - Misconduct - Regarding Defendant Exhibits: None of my exhibits were admitted, reviewed or discussed. I even had audio that I submitted to the court in the required flash drive format in which \_\_\_\_\_ was calling me directly and repeatedly threatening my life. When I stated that \_\_\_\_\_ was threatening my life the judge that that is irrelevant.

Complaint 4 - Judge allowed the plaintiff to take almost the entire time, and by the time it go to be my turn to defend myself we were just about out of time. The judge was going over her exhibits again and again I was lost and confused.

The judge's extreme bias towards me due to the fact of me having a relationship with a married man showed through her discriminatory conduct towards me. She didn't ensure that it was a fair and non biased hearing.

