

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-470

Judge:

Complainant:

ORDER

March 29, 2024

The Complainant alleged a superior court commissioner was biased and applied the wrong standard in an order of protection 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 29, 2024.

2023-470

COMPLAINT AGAINST A JUDGE

Name: [] Judge's Name: Commissioner

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.

INTRODUCTION & BACKGROUND

On [], surprisingly I was served an Order of Protection filed by [] expressing fear for her safety AFTER [], Child Support Modification Hearing did not go in my favor. (She had not expressed concern before I had not been in the same room with [] since [] besides Court Hearings, phone calls and text messages had been somewhat normal/minimal until I filed for Child Support Modification.

I CONTESTED THE FRIVOLOUS ORDER OF PROTECTION

-I Contested the Order of Protection calling it Frivolous & Vindictive since I had never, physically threaten, harassed, intentionally annoyed or intentionally caused severe alarmed to []. I explained to the Commissioner that in [] she filed an Order of Protection after she attacked me in front of my kids in a [] Parking Lot. I explained she used that to prevent me from further complaining about her physically and mentally abusing our oldest son. Further, she used the Order of Protection to sabotage my work, by posting it on social media and contacting many of the Pastor & Religious leaders I work with internationally. She lied and told them I was physically abusing her daily and had brought her from [] to be my Sex Slave.

I am a minister, have traveled and done humanitarian work in about [] nations or so for [] years. My income is basically derived from Speaking Engagements for various churches or religious groups. This is also how I generate income to support my missions/humanitarian projects abroad. This almost complete came to a stop, limiting my ability to support my kids, myself or the work of the ministry abroad until this day. It was nearly a year before I was made aware of what she had done, as I wondered why Speaking Engagements were not coming and my communications to religious leaders were ignored. I explained Explicitly to Commissioner [] her intents and my concerns that she would use this frivolous Order on social media to further cripple my economic ability to take care of my sons.

I argued that the (1) email [] before the last Child Support Hearing ([]) - Warning her she could go to jail for submitting false 1040 Docs into Court, perjury, and that she should cut ties with the people she is involved with that create fraudulent docs, they could get her into trouble-plus giving her Biblical Scriptures & websites about what could happen by submitting fraudulent docs. (I argued as a minister or citizen it is my responsibility to warn anyone about committing a crime)

Text message (1) - A one liner , Congratulation on her performance... [] - Was not threatening.
Text (2) [] Asking her to participate in helping with the kids eyeglasses (the first time in [] years I

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



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asked for help).
Text (3) - Demanding (after asking/telling her about 4x) to STOP Lying to the boys, stressing them, twisting their minds about adult court proceedings and telling them they did not see or hear what they saw or heard. They were fully aware of her monthly Cash income etc. In my Motion to Reconsider, I argued it is my right and duty as a parent to prevent her or anyone from mentally or physically harming my kids.
- I sent a Certified Notarized Letter of Intent to Sue - giving her options of how to settle out of Court or consequences of what could happen if I proceed. She should have received that letter on -but the letter was lost. I have the Case# proving that and resent it - It was received by This was days before I received the Order - days after she initially filed. Yes, this was a formal "legal threat to sue." Subsequently, the first letter may have been found and made its way to address. I have no way of knowing since I was told the first tracking was cleared from the system when the USPS reimbursed me by covering the postage for the letter to be resent. In my Amendment Motion to Reconsider I sent the (2) ink faded postal receipts with the verifiable Case#.
COMPLAINT AGAINST COMMISSION
I am very much aware of the Family Court Industry bias against men, it is common knowledge and how many rulings are based in options instead of evidence or fact, according to the Center for Judicial Excellence.
Commissioner on In court room around asked at least times repeatedly without getting a straight answer if she had told me not to contact her and when. She dodged the repeated questions with other stories and finally stated, if she had told me to, I would contact her anyways. It was determined she never told me. She later admitted to Commissioner she Was Not afraid of me. Then she lied that before the divorce, for years of marriage every month, sometimes twice a month I beat her. (She provided no police reports, photos of bruises, cuts, black eyes, broken bones, hospital reports-testimonies from people living with us, or frequently visiting due to my work in the religious community). Plus, we were not married years; it was years { }.
Around Commissioner stated that his test in determining the outcome of the Hearing was based on If I caused, " ' ' ' or " "
Around Commissioner inaccurately mentioned a page letter I sent her. I have not sent a page letter to her. Perhaps, he did not see the dated page Certified Letter of Intent to Sue? Just by looking at the date, it would have clearly been known that was not the case.
Around and Commissioner admits this is Not a Criminal Case and there is No Criminal Element to this case.
COMMISSIONER UNETHICAL BEHAVIOR
It is my belief that Commissioner Misapplied the Law in this case, Abused his power and purposely committed Judicial Subversion.
1) According to Commissioner , he based his ruling on the OPINION of his first boss when he became a lawyer.
Around He further stated inaccurately that I threatened multiple times, then he connected and referenced the email, warning her she could go to jail for submitting fraudulent documents to court on He clearly knew that email was No Threat to Sue, nor for me to "send her to jail" as he inaccurately stated. Again, there was only one letter of intent to sue clearly dated - This fact he further ignored in my Motion to Reconsider. There was NO PATTERN OF HARASSMENT as he inaccurately stated in Court and partially based his ruling on.
2) He stated that threatening with Legal Actions made her feel Alarm, Annoyed and Harassed, therefore the Order of Protection would stand. He failed to quote any law that states that if I am planning on suing someone, I could not try to first settle it out of Court. Everything that I have researched before and since this injustice says otherwise. " Other Pastors, friends of mine and legal people are failing to see the " that only Commissioner sees. Again, the letter was before I was served with her frivolous Order of Protection. (Over the years I have had to address issues regarding the kids that we have disagreements about on the phone or text as parents normally do - never a pattern of harassment).
3) - I filed a Motion for Reconsideration based on what I and others perceived had to be an error. I also encouraged Commissioner to " I clearly and strongly expressed again the intent of to further tarnish my name and reputation in the community where I work. Again, stating she had in the past taken to social media with another frivolous Order of Protection: and making false statements of Physical Abuse and using her as a Sex Slave. This not only destroyed my name but greatly impacted my ability to make an income in a community where I have worked years. In a community where ministers are expected " In an Amendment that same day trying to cover every base, in case he missed something, I realized the lost Letter of Intent to Sue may have found its way to her address after He seemed to overlook the fact in my Amendment Motion to Reconsider that if he was referring to this, it was due to mail being lost she may have received the same letter twice and decided to submit as (2) separate exhibits.
4) I believe that Commissioner further abused his power by refusing to look at the facts and evidence, but choosing to stick with the Opinion of his first boss which clearly did not apply to this case. I am not making any specific accusations of why he chooses to let this Order stand, despite admitting she Was Not Afraid of me in his court room and that she had not asked me to not contact her. I do know that has connections, ex-boyfriend lawyer, and other people she is very close to that practice law in the area.
5) Commissioner was proven himself unethical, dishonorable, and guilty of Judicial Misconduct by refusing to Quash this Order. Commissioner has committed Judicial Subversion. He has blatantly lied on me and accused me of a crime.
((electronically filed - dated)

" (electronically filed - dated)

None of this was in his ruling in the court room. When did he make this up? He clearly stated that his ruling was based on being alarmed, annoyed and harassed because of () letters threatening a lawsuit and based on the opinion of his first boss, () letter was enough. (Again, I only sent letter). He not one time mentioned that he felt I was guilty or suspected of the crime of Domestic Violence or had any evidence to prove that. This is a blatant lie.

During Court times, he stated there was nothing criminal about this case, nor had a criminal element. I have not spoken to on the phone since because she likes arguing, lying, and unnecessary drama. I have not been in the same room or space with since when she attacked me in front of our kids. I don't even go to the door when she used to park in front of the house to pick them up or drop them off after her -hour a week visit with them.

I have been in ministry for years, traveled worldwide, frequently feeding and clothing the homeless in downtown held in high respect in my community, as a minister, a law-abiding citizen not only known for my morals, integrity, but also for choosing to raise my boys alone. Commissioner abusing the court's power has willfully, knowingly and intentionally attacked me, and tarnished my character as a minister of the Most High God in this community. Using his judicial office, he has willfully, knowingly, and intentionally sought to sabotage and destroy my ability to earn a living for my children and myself.

He has given more than the ammunition she needed to use on social media, Commissioner subversive lies and somehow judicial precognition abilities that Commissioner seems to possess and use for Court Rulings... "

This is highly Unethical, Unprofessional and does not belong in an already broken system. It causes me and others in my community to wonder how many other men of color the victim of his unethical practices may be. He knows full well even as I stated to him, a background check with these lies handed down by the Court could ruin someone's future. I fear that a Pastor inviting me to speak at an event may do a background check as more are beginning to do.

I was forced to bring this humiliating matter before fellow clergy, community activist leaders and others during the weekend. We are considering our many options regarding Commissioner of the Court Division. This should never happen to anyone.

The allegations and statements here are all correct and factual.

Sincerely,



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COURT OF ARIZONA
COUNTY

HONORABLE

CLERK OF THE COURT

Deputy

IN RE THE MATTER OF

AND

COMM.

ORDER OF PROTECTION HEARING

Prior to commencement of today's proceedings, Plaintiff's exhibits 1 – 5 and Defendant's exhibits 6 – 19 are marked for identification.

Courtroom - Regional Court

This is the time set for a hearing on Order of Protection issued on .
Petitioner is present on her own behalf. Respondent is present on his own behalf.

A record of the proceedings is made digitally in lieu of a court reporter.

and are sworn.

testifies.

Petitioner's exhibit 4 is received in evidence.

COURT OF ARIZONA
COUNTY

Petitioner's exhibit 3 is received in evidence.

Petitioner's exhibit 1 is received in evidence.

Petitioner's exhibit 2 is received in evidence.

testifies.

Defendant's exhibit 9 is received in evidence.

Having considered the testimony and evidence presented and for reasons as stated on the record,

THE COURT FINDS by a preponderance of the evidence that there is reasonable cause to believe that the Defendant has committed an act of domestic violence within the last year or may commit an act of domestic violence in the future.

THE COURT FURTHER FINDS that good cause exists to continue the Order of Protection in this case with some modifications.

IT IS THEREFORE ORDERED that the Order of Protection issued by the Court on is modified.

IT IS FURTHER ORDERED approving and settling formal written Order of Protection signed by the Court this date and filed herein.

IT IS FURTHER ORDERED issuing a Notice to Sheriff of Positive Brady Indicator signed by the Court this date.

LET THE RECORD REFLECT that the Defendant signs an Acceptance of Service form in open court.

LET THE RECORD FURTHER REFLECT the parties receive copies of the aforementioned documents in open court.

FILED: Amended Order of Protection, Acceptance of Service, Notice to Sheriff of Brady Disqualification

Matter concludes.

**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.**