

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-030

Judge:

Complainant:

ORDER

May 31, 2024

The Complainant alleged improper legal rulings by a justice of the peace pro tem hearing 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).

Commission members Regina L. Nassen and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 31, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-030

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.

SEE ATTACHED DOCUMENT PACKAGE

1. During Bench Trial, on _____ Judge _____ did not turn on the _____ system
2. Judge _____ refused to let my witness _____ testify
- #3. Judge _____ ignored the state and county laws regarding, objections, failure to control case and no text or case.
4. Judge _____ did nothing when Prosecutor led witnesses to his under oath.
5. Judge _____ helped set me up on a crime I did not commit.
6. Judge _____ was under the influence of drugs and/or alcohol, she was very irrational and hostile towards me.
7. Judge _____ stated that if she had a mistake this Prosecutor would help her correct it.

To Whom It May Concern:

My name is . My current address is

. I have lived there for approximately years. I have had a long history of unwarranted trouble with the local courts and law enforcement spanning approximately years.

I was previously a general contractor in the construction industry from to . My trouble began in approximately when several people who owed me money made complaints against my license. These same people filed civil complaints against me disputing the validity of the mechanicman's liens I had registered. Due to the conduct of these cases I made complaints against , a local attorney involved in the litigation, , a local attorney involved in the litigation, , who was the deputy chief prosecutor, , who was prosecutor working under Judge , who was a Court judge involved in the litigation, and Judge , who was presiding Court judge for County at that time. I eventually won an appeal on an ROC case in approximately .

After this, things devolved, and I have been targeted since. then ordered a search warrant and eventual arrest warrant on a dispute over marital property. This was dismissed after , who was the director of division of the called to dispute his actions and threaten him with disbarment proceedings.

Later in approximately , Judge involved himself in a custody action and granted my ex-wife emergency custody without cause. This matter was eventually appealed, and then Judge reversed himself to avoid being reversed on appeal.

Judge in County ordered that Judge was disqualified from any case involving me. Despite this, Judge continued on my case. After that, a judge in County confirmed Judge decision and ordered that Judge should be forced off my case. Yet again, Judge continued being involved. Finally, Judge in County made the same order removing Judge from my case, and once again, Judge ignored that order. The only reason that Judge is not still involved is that he eventually retired.

There is much more that could be detailed for that time period, but it would be too voluminous to detail in this letter. In short, I have made complaints against most of the judges who were serving during that time period, some of who are still on the bench. Judge is still a Court judge in County, and is now presiding over the Court in County. (one of those attorneys) was placed on probation for years by the for ethics violations in one of my cases, and and were both threatened with disbarment by the division if they did not drop charges against me and return my

property. I even had to have then Governor
County Department.

enforce a FOIA request with the

The bottom line is that I am well-known and disliked by the local courts, attorneys, and law enforcement due to my complaints. While this is no surprise, the issue is that they have engaged in a pattern of harassment and unwarranted legal actions against me. My complaint is not that I am disliked but is because these same people are using their positions to unlawfully target me.

On weekend of I was arrested for trespassing in my own home, which case was then dismissed. The very next day I was arrested for harassment/illegal surveillance because I had a friend take a photo of a car in a public area. That was also dismissed.

They are still pursuing me on a charge of lying to law enforcement on the dismissed harassment charge to this day.

Shortly after the dismissal of the harassment charge, I was then charged with recklessly killing an animal and found guilty. I am now awaiting sentencing. This charge stemmed from a dog that was at large in the road who was chasing my car and then ran under my back wheel. I was denied the ability to present my witness or my exhibits.

I have supporting documentation to prove what is stated in this letter available for any interested party to inspect.

Sincerely,

In re the Matter of:

Petitioner/Appellee,

v.

Respondent/Appellant.

No _____

Filed

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES. See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

DECISION ORDER

Judge.

The court has reviewed the record and briefing in this appeal, and the court's order entered After consideration, and for the reasons that follow,

IT IS ORDERED dismissing this appeal.

In ("Father") and ("Mother") were awarded joint legal and physical custody of their minor child, and Mother was designated the primary custodial parent. In , Father obtained primary physical custody of the child. In , Father filed a petition to modify custody, requesting sole legal and physical custody of the child with reasonable parenting time for Mother. After an evidentiary hearing, the court ruled that " " and awarded Mother parenting time.

Father timely brought this appeal, arguing that his request for custody modification was improperly denied. He did not challenge the parenting time award.

Because the court had not supported its ruling with the express findings required under A.R.S. §§ 25-403 and 25-411(L), we suspended the appeal and revested jurisdiction in the court for the entry of findings. The court entered the appropriate findings in a order, and the appeal was reinstated.

We now dismiss the appeal as moot. The court's order grants Father the very relief he sought in this appeal — a change in custody awarding sole legal and physical custody of the child to Father. Though this order appears inconsistent with the order from which Father appealed, it means that Father may not now gain any relief from this appeal that he has not already received from the court. Dismissal of the appeal is therefore appropriate. The court has jurisdiction over any future proceedings.

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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.**