

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-298

Judge:

Complainant:

ORDER

February 5, 2020

The Complainant alleged a municipal court judge was biased against her, prejudged the case, made improper comments about her, and improperly issued an order of protection.

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 February 5, 2020.

I am asking this committee to investigate 2 court hearings on _____ and _____ hearings be accessed and used to find that either _____ Ethics as well as judicial misconduct or not.

_____ for unethical and bias actions during _____ and I am asking that the audio of both _____ is guilty of violating the Code of

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On _____ a request was made to _____ by _____ (a cousin who does not live with me) for an Order Of Protection which is an unqualified request because the petitioner and I are not in a domestic relationship and do not reside with one another; Se is my cousin, and my response specifically pointed that out. However; during a request of an order of protection given to _____ and my elderly uncle _____ made several derogatory remarks against me while I was not present. This judge conducted himself in a bias manner all throughout the hearings and ruled prior to the hearing held on _____ I am citing the rules of conduct for Arizona and specifically Cannon 2 rule 2.2, 2.3 and 2.4.

I will reference the official court audio's timestamps on _____ and at _____

First, I can hear _____ make reference to a " _____ " offense against me, back in " _____ ". I believe _____ had at that point become bias against me, when saying " _____ ". This goes against the courts promise to act fairly and impartially.

I had met _____ on _____ while interviewing for the _____ position in _____ I had not heard one word from the court until I seen _____ at the _____ in _____ approximately _____ later, and approached him with the question as to why I was not notified about the position as the job description described.

During the interview on _____ I had told _____ that I was living with, and caring for _____ who is _____

According to the Arizona Code of Judicial Conduct; Canon 1 states "A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE **JUDICIARY**, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

And Canon 2. "A judge shall perform the duties of judicial office impartially, competently, and diligently". _____ was not acting impartially when making comments about me to _____ he was also " _____ "; When hearing her request for an order of protection, _____ was giving ammunition to use against me. After this hearing _____ started posting on social media sites the phrases that _____ mentioned to her on _____

A judge shall comply with the law, including the **Code of Judicial Conduct**". In court, while _____ was hearing _____ petition, he led her on, as in leading the witness, and spoke for her, rather than hear her out. He put words in her mouth and helped her complete and finish her sentences. He also did this during the _____ hearing as well when putting into the mouth of witness _____ the word " _____ ".

Moreover, towards the end of her perjurious testimony, [redacted] spoke as if my presence at [redacted] house was due to my ([redacted] own words) wanting a " [redacted] " off of him.

After [redacted] made these comments against me, prior to their even being a hearing, [redacted] repeatedly commented on social media that I was " [redacted] ' off of [redacted] This statement originally came from [redacted] was neglecting her dad and even went as far as to strike her dad and physically abuse him right in front of me, and this is why I was living with him. I came home from [redacted] after being gone for [redacted] because [redacted] was calling me every day, asking me to come.

[redacted] also told [redacted] under oath that she was the legal guardian and conservator of [redacted] did not ask for any proof, either during the request for order of protection hearing, or even during the hearing on [redacted] even though I pointed it out to [redacted] only has " [redacted] ' conservatorship and that is only for paying his bills, not making decisions about protective orders; [redacted] at the end of the hearing held on [redacted] acknowledged that [redacted] can come into court himself, but [redacted] ruled that [redacted] should be protected from me without him even being present in court which was his right, and ultimately [redacted] of his rights without allowing him to speak on his own behalf.

[redacted] intended to go to court because he was furious when his own daughter filed this fraudulent request. He knew about it and warned me not to answer the door on [redacted] and then on [redacted] he asked me to write a note out to be notarized by him and in his own words wanted the judge to hear him.

At [redacted] on [redacted] says that he is going to add [redacted] to the order, when [redacted] does not believe her, and that [redacted] is upset. [redacted] said "

[redacted] " insinuating that I am " [redacted] " of [redacted] No, I was not taking advantage of [redacted] I fed [redacted] I did all the shopping, I clothed him. I did his nails and cut his hair and cooked for him, and did his laundry, kept the house clean, and everything I had to do to make him comfortable everyday, while his daughter did not even want to come inside his house for fear he'd want her to spend time with him. I had applied for a [redacted] because I did not want [redacted] to be paying for me to eat. I did not take anything from [redacted] During this time I had worked at the [redacted] and then found out I had [redacted] so I dropped 40 pounds but during that time I still applied to several different jobs with the city and I also interviewed several times.

But I am the only one who has cared for [redacted] at all. [redacted] is a pothead who has taken over \$ [redacted] from her dad. [redacted] points out that [redacted] " when it is convenient for her, but she had taken her dad to a title company and had him sign over his house to her, as well as sign over \$ [redacted] to her when he received an inheritance, and then made up another lie about me, supposedly [redacted] " that [redacted] had a " [redacted] ". Well, that inheritance was given to [redacted] back in [redacted] had already taken the majority of it, and then left him out to dry. She did not want to care for him after she spent his money. It is already gone and was

already gone by the time I came to take care of [redacted] and everything [redacted] told [redacted] was a lie.

[redacted] has made several comments and sent several messages that she is " [redacted] to deal with her dad. But [redacted] had already made up his mind. He acted according to the Codes; unfairly and unethically.

[redacted] has physically and mentally abused her dad for years, I video taped her coming to [redacted] home and slapping him to the point where he fell onto the couch. [redacted] has had [redacted] and cannot use his [redacted] leg and has to drag it because of [redacted] and this is why I ended up leaving [redacted] I had been in contact with the district attorney in prior to my coming here and had made " [redacted] " checks with the [redacted] so that they can check on him for me.

I cannot believe this has happened and unfortunately [redacted] cunningly pulled the wool over [redacted] eyes, and because of [redacted] biased opinions and ruling, I believe [redacted] is in danger. [redacted] admits that [redacted] takes excessive pain pills ([redacted] . He took [redacted] of them in a matter of [redacted] which is why [redacted] told me to get him vitamins. [redacted] overlooked these details and paid extra special attention to [redacted]

[redacted] ignored the testimony of [redacted] witnesses over [redacted] ' accusation, but no where in the 911 call to police made by [redacted] (an employee of [redacted]), nor the Police Call sheet that is provided as evidence to the court, does it say, (or is documented), by any police officer that there was a complaint of " [redacted] ' made.

According to [redacted] perjured themselves.

In fact, I went straight to the police station and was there at [redacted] on [redacted] whereas the initial response answered by police was at [redacted] I would have been arrested on the spot if it had been reported that I had attacked anyone physically.

The story of " [redacted] ' was embellished and never reported until [redacted] stood in front of [redacted] on [redacted] which is how she was able to convince [redacted] to give her the order of protection.. At first (on [redacted]) she stated that I " [redacted] ", then on [redacted] she stated I [redacted] How is that even possible when you can clearly hear me telling [redacted] into my being there " [redacted]

[redacted] came home on [redacted] after [redacted] told him that she had filed a restraining order against me, and he was furious. He then asked me not to answer the door because he said that police would come and take me away. I told [redacted] that I was not afraid to speak to police and he became angry and wanted to write to the judge and to the court. I did not think twice about it until [redacted] when [redacted] insisted on me writing a letter on his behalf. I told him that I would take care of him, and that it will be okay.

But it wasn't, because [redacted] made up several lies that I stole his pain pills (I presented evidence to [redacted] that it was [redacted] who wanted his pain pills replaced with vitamins.

But, [redacted] ignored all of the evidence that was presented. He did not read the evidence that was put forth right in front of him, and he was looking at the evidence.

[redacted] ruled in favor of [redacted] even though there was no proof of what she was saying; In fact the evidence did not match the verdict whatsoever.

The court session was about a protective order, but [redacted] made it about insinuations and attacks on my character concerning my stay at [redacted] and the arrangement I had with him, which had nothing to do with freeloading. He had already made a decision when saying (Timestamped on [redacted] at [redacted])

[redacted] "and then while describing [redacted] " to [redacted] he said (at [redacted]) " and " [redacted] . Well, I never hit [redacted] or her business associate and I provided a USB flash drive to the court of [redacted] speaking about these accusations. [redacted] would not hear them nor view them. The audio was transcribed and admitted as evidence but [redacted] overlooked that as well.

[redacted] also informed [redacted] that she could call the police at any time, EVEN IF SHE IS NOT SURE IF IT IS ME, for any reason whatsoever, should she feel uncomfortable or if she heard a strange and suspicious noise. This seemed to me to be an overzealous witch hunt on [redacted] part.

People on social media sites are attacking me and my minor children based on what [redacted] labeled me during the court hearing held on [redacted] permitted [redacted] too much leeway to abuse a protective order that was granted on false grounds, anyway.

Before the [redacted] hearing; [redacted] also told [redacted] to tell as many people as she wants, "([redacted] ", (timestamped [redacted] and give the order of protection to as many people as she wants and basically make me out to be some kind of a criminal, because that is exactly what she did and she labeled me what [redacted] labeled me on the [redacted] request hearing.

The most heartbreaking thing that has occurred because of [redacted] biased ruling is that I cannot see [redacted] We are best friends. I love him and he loves me. He loves me because I took care of him, but no one has questioned him; no one has given him the opportunity to speak in court over this ruling. He is [redacted] and has earned the right to speak. His civil rights as well as mine have been severely violated, and this entire case is unconstitutional; [redacted] took the word of an elder abuser who lied all throughout the hearing. He just took her word without seeing any evidence at all.

[redacted] called the police after [redacted] told her to call the police and said that I tried contacting [redacted] but in court on [redacted] admitted that [redacted] did not have a phone until [redacted] telling one lie after another.

[redacted] ([redacted] long friend / witness) claims that she saw me " [redacted] " is a [redacted] and I am [redacted] was pushed by [redacted] but [redacted] was acting as if he could

not see. He was holding papers one inch away from his face. Is this a hindrance from being able to see and hear the obvious? (Rule 2.14)

Another bias decision based on the fact that [redacted] is familiar with [redacted] business venture " [redacted] " when he said (timestamped at [redacted]) " [redacted] ' and then on [redacted] after showing the audio/video, he made reference that he recognized the tables there. So, [redacted] patronizes [redacted] business which shows more bias. [redacted] recognized the settings in the audio/video after seeing the video I presented as evidence where you cannot hear me " [redacted] " anyone, and in fact, you can hear me saying " [redacted] " after [redacted] put her hands on me. [redacted] ignored that as well.

But the most impartial and incompetent comments of all was at the end of the hearing when [redacted] said (timestamped at [redacted]).

This is one of the most shocking things I have ever heard a judge saying about someone who is not there to defend themselves. What kind of justice is that? To just automatically rule and make these kinds of comments about anyone prior to their being heard in this great country is just shocking, especially since [redacted] daughter has taken over \$ [redacted] from him and blown it.

[redacted] received an inheritance in [redacted] It has been long spent before I even got to him in [redacted] It is an insult to me to have this judge make these types of comments about me and label me a freeloader who is ' [redacted] ' as if I am a criminal, and for these examples and reasons, I am asking this case be looked into further.

I have applied to at least [redacted] different job listing positions in [redacted] ever since [redacted] I am highly qualified, and have a very good resume. I do not understand what this is all about except that I had a " [redacted] " filed against me because of a girl stealing [redacted] bracelet and when I went to go ask [redacted] it escalated into a heated argument and the police were called. Should I be penalized my entire life because in [redacted] I had an unfortunate experience in [redacted] ? Judge [redacted] has labeled me negatively in several different ways and [redacted] look what [redacted] has said about me and basically harassed me all over town. Is this how our judicial system is supposed to work? Blessings of harassment and bullying from a judge; [redacted] proclaimed that I should have the police called on me before my case was even heard.

During the [redacted] hearing where I was present. [redacted] allowed [redacted] to make a mockery out of the system by bringing up her " [redacted] " business and being able to question my children about their [redacted] in defense of her lies about our family. [redacted] never stopped her, even after she was told that it had nothing to do with the order of protection.

During the [redacted] hearing, [redacted] read everything [redacted] wrote verbatim, but when he read my response he did not read anything I stated and used the word " [redacted] " and omitted it before he read [redacted] entire complaint. "

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