

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-045

Judge:

Complainants:

ORDER

June 27, 2024

The Complainants alleged a justice of the peace was unfairly prejudicial to them, did not allow evidence to be submitted after the trial began, and yelled/threw things in the courtroom 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 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 Roger D. Barton, Louis Frank Dominguez, and Regina L Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 27, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-045

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.

This Judge works on harassment and protective cases in the _____ Courts and he served on this case with certainty of his own mindset that was very unfair for justice to all parties involved.

The Plaintiff: _____ never proved her case against Defendant: _____
There was never any discussion of her being harassed on anything at anytime on or off the property.

The injunction of harassment to evict the defendant on the above property which they both owned together was never determined fairly and the defendant began with defending himself from the beginning in a court of law with Judge _____. The judge was yelling and commanded continuous warnings that were not warranted. The defendant was assumed guilty by having a prior felony in his younger years and was never seen fairly through the eyes of justice. Although his time was served and out _____ years clean, he was never given and opportunity as a free man who was working and starting a new family; the judge only saw it was his duty to protect the victim. It was obvious the plaintiff was handicapped and has been that way for more than _____ years; she played loss of memory having the victim advocate assistance. There was never any verbal or physical falling out between defendant and plaintiff to allow these charges. Again there was never anything discussed why she was threatened to file any harassment and because she received guidance from victims advocate on this process and steps for having an attorney and eviction was carried out with charges against defendant

Although the court saw it fair to give the defendant and opportunity to prove himself without an attorney. It was not without his predetermined prejudgment and fighting all the way for the defendant to hang himself by cutting off any testimony with delays and making _____ court appearances. The Judges tone of voice was anger, always yelling at the defendant and consistent verbal abuse to those witnesses called to testify for the defendant. There was well known history on the Plaintiff that was never opened up or given the opportunity to show how the Plaintiff has done this before by playing victim when offering to share her land and home. It was shameful the defendant was not given the opportunity to prove his case because her memory is exceptional great; except when she wants to be the victim.

The defendant Mother was a witness and outraged at this Judges conduct and code of ethics as well as how his bailiff attitude towards the defendants witness along with many court time delays. While on the stand as my Sons Witness, I acknowledged what Judge _____ was saying to me as understanding and had a question and he perceived my acknowledgment as an interruption and erupted into a furious rage. He literally screamed at me and I became afraid and fearful. He threw his pen at me which I took to be an assault on my person. I would never expect this sort of behavior and conduct from someone supposedly presiding over the law.

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Cont: (2)

I also observed the judges bailiff threaten my Son with his hand on his firearm while my son was seated at the defendants table, and he posed no physical threat to anyone. The complaint department should listen to audible.

We drove to _____ times to solve this case without any satisfaction. There was nothing about justice from this judge in the _____ court assigned to case # _____. The Defendant was served in _____ and moved with his pregnant girlfriend after _____ and later went back on _____ to remove all his property on a court order where his was paying the bills to start over his life over during the Holidays; when he thought was going to be building a home for the Plaintiff on this land and be given the modular home for his family. The only goal of this court was to uphold the original issuance against harassment and he himself is a very violent man based on my encounter.

This judge never viewed the contract between Defendant and Plaintiff as it was not his intrest to do what is right in a Court of Law; just move it along.

The defendant attorney _____ was dismissed because he wanted to plead guilty on _____ to the harassment charge and walk away. By the way, the same charge was given to the girlfriend _____ living on the proberity and that was dismissed after their property removed and her record sealed. The Defendant _____ only wanted to share with the court the many similarities over the years and the Plaintiff never proved any harassment. This case was handled poorly and very unfair to an individual starting over in life with a new chance.

Examples: Judge _____ was rude and yelled for no reason on questioning or when giving answers. He threw his pencil when speaking to defendants Mother and his bailiff reached for his gun in his holster as a threat to the defendant _____. This behavior should not be tolerated in a court of law.