

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-089

Judge:

Complainant:

ORDER

August 30, 2024

The Complainant alleged a superior court judge made improper rulings in a family law 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 member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 30, 2024.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Petitioner Pro Per

**IN THE COURT OF THE STATE
OF ARIZONA IN AND FOR THE COUNTY OF**

Petitioner,
v.

Respondent.

No.

**EMERGENCY MOTION FOR
CHANGE OF JUDGE FOR CAUSE /
REQUEST FOR DISQUALIFICATION
AND REASSIGNMENT OF CASE**

(Presiding Hon. Judge)

Petitioner, , (hereinafter “ ”), by and through as Petitioner Pro-Per, files her *Emergency Motion for Change of Judge For Cause / Request for Disqualification and Reassignment of Case*, with the Arizona Court of County, pursuant to *A.R.S. §12-409 (5), ARFLP Rule 6.1*, and the *Arizona Code of Judicial Conduct, Rule 2.11(A)*. has cause to believe and does believe that on account of bias, prejudice, or interest of the judge presiding over the case in the above-captioned matter, she cannot obtain a fair and impartial trial presently or in the near future, based on the facts presented in Petitioners’ *Emergency Motion for Change of Judge For Cause*.

TIMELINESS OF MOTION

timely files her *Emergency Motion for Change of Judge for Cause* in compliance with *ARFLP Rule 6.1 (c)*, within twenty (20) days of discovering information and evidence for change of judge in the above-captioned matter, by a preponderance of the evidence under *A.R.S. § 12-409 (B)(5)*, and will show as follows:

MOTION FOR CHANGE OF JUDGE FOR CAUSE

1 **GROUNDNS FOR CHANGE / DISQUALIFICATION**

2 *Cannon 1 Rule 1.1*

3 *Cannon 2 Rule 2.2, 2.3, 2.4, 2.5, 2.6, 2.11 and 2.15*

4 1. On _____, the Hon. Judge _____ abused her discretion when she
5 issued an unauthorized expired warrant against _____, for the parties' () minor
6 children to be given to the respondent, when a *Petition to Enforce a Child Custody Determination*
7 had not been previously filed with the court, or proper service of process conducted on
8 _____ . The respondent's counsel of record at the time, attorneys _____, and
9 _____, of _____ stated that their documents were filed
10 "simultaneously" to include a *Petition to Enforce*. (1 _____). This blatant and intentional
11 misrepresentation to the court to obtain a warrant against _____ violated her rights. The
12 respondent's *Petition to Enforce* was filed on _____, () days after improperly e-
13 **filing an Emergency Ex-Parte Motion, which was never properly served on** _____.
14 **under A.R.S. § 25-1061(A).** It appears the court never verified the details about the "warrant",
15 and exceeded its authority in favor of the respondent, while violating _____ due process
16 rights *under color of law, by renewing an expired warrant on a perceived legal right and authority,*
17 *which did not exist.* These actions caused irreparable damage to the _____ family, which is
18 still ongoing today, and are substantial grounds for a change of judge for cause. **(Emphasis**
19 **Added).**

20 If the Hon. Judge _____ had properly reviewed and validated the grounds and the
21 accuracy of the motion request for a warrant renewal, the court may have discovered the warrant
22 was, **(1)** "expired" not "outstanding", **(2)** the warrant pertained to temporary orders for
23 summertime visitation only, **(3)** the circumstances surrounding the initial warrant were
24 misrepresented to the court, as "itinerary issues", instead of the ongoing _____ investigation in

25 MOTION FOR CHANGE OF JUDGE FOR CAUSE
26
27
28

1 which would later result in disclosure and (4) the caption and title of the warrant were
2 misrepresented in the filing by stating, “ ”, instead of “
3
4 ”. This intentional misrepresentation in the motion is imperative to understand,
5 as the children have never resided with the respondent outside of care since birth,
6 as she has been the primary caregiver of the children since . The children resided with
7 for the last () years of their lives, who predominantly raised them in
8 and then Arizona, with the help of her now husband since . It appears the Hon.
9 Judge did not adequately review the case history and was negligent for not examining
10 the details surrounding the warrant issued on by the previous judge, (I██████), or
11 conducting any form of due diligence to remain impartial, to protect the integrity of the judiciary
12 and uphold the primary family courts focus, which is the best interest of the children, especially
13 considering over an entire year had passed since any party to the case had communicated with
14 the lower court, as this case was still under appeal at the time with the Arizona
15

16
17 . (Emphasis Added).

18 Furthermore, the case was still under an active appeal for *Final Orders For Legal*
19 *Decision Making, Parenting Time, and Child Support*, issued on , by the previous
20 officer of the court, the Hon. Judge . Due to the case being under appeal, the only
21 option the respondent had was to bring forward an emergency to Judge , which he did
22 not. Instead, the respondent began to scheme a plan of falsely reporting allegations of kidnapping,
23 abuse, and neglect against , under *A.R.S. Section 13-2907.02, over a year later* to
24 the Hon. Judge , just days after she was appointed. Without being required by the court
25 to provide adequate facts, merit, or any substantial evidence the children had been kidnapped
26 for over () years, as the respondent and his legal team falsely purported, how could
27

28 MOTION FOR CHANGE OF JUDGE FOR CAUSE

1 **the court judge grant motions that were non-compliant with the law and not supported by**
2 **adequate facts as required by §A.R.S. 25-1061.** Judge _____ granted multiple orders based

3 on hearsay and was not supported by the facts or information brought forward in the respondent's
4 *Verified Ex-Parte Emergency Motion* to Renew an "Outstanding Warrant" from a summertime
5 temporary orders hearing in _____ of _____.

7 No new merit or "**substantial evidence**" was provided in the respondent's *Verified*
8 *Emergency Ex-Parte Motion*, nor did it overwhelmingly support through evidence, the serious
9 allegations that the children were **likely to suffer** "**imminent physical harm**" if the
10 "**outstanding warrant**" was not "**renewed**" and issued against _____ **Ex-Parte,**
11 **without the court setting a hearing in person to hear from both parties.** This was a *choice*

13 that _____ believes the court made with **haste**, by **error** or other **prejudicial means**,
14 **based on unverified representations toward _____ from the respondent, and failed to**
15 **remain impartial, nor comply with judicial canons.** (**Emphasis Added**). It is unknown if a

17 hearing took place as the clerk of the court confirmed no hearings were recorded in _____ of
18 _____ in this case. (**No FTR Recordings are available**). The Hon. Judge _____ issued an order
19 **to take physical custody of the children without being compliant with A.R.S. §25-1061(C)(1),**

20 **by failing to recite the facts on which the court concluded its review of the respondent's**
21 **verified *Emergency Ex-Parte Motion* and the grounds for the court to issue a warrant to**
22 **take physical custody of the children, under the statute.** The court stated it found " _____ ",
23

24 **but never recited the detailed facts and findings on which conclusions were made to issue the**
25 **warrant to take physical custody of the children, as required under A.R.S. 25-1061 (C).**
26 **(Violating Judicial Cannon 1 Rule 1.1 Compliance With Law).**

27
28 MOTION FOR CHANGE OF JUDGE FOR CAUSE

1 2. The Hon. Judge further issued an Order Regarding the *NCIC Database*,
2 *National Crime Information Center*, governed federally and regulated and operated under the
3 **FBI**, for “**missing persons and children**”, who have been reported kidnapped or lost. It
4 appears that Judge lack of impartiality and lack of fact-finding in orders issued by the
5 court, allowed the respondents’ illegal actions to be unimpeded. The respondent engaged in
6 *Federal Felony Violations*, by falsely reporting to the , that the children were “kidnapped”
7 when they were not, as confirmed by *LVMPD*. (See **EXHIBIT #1**). The Hon. Judge ,
8 granting this order without any evidence or verifying the children had “actually” been kidnapped,
9 the court may have assisted the respondent and his legal team, in these criminal illegal actions.
10 The motive to wrongfully gain physical custody of the () minor children by weaponizing
11 the court against at the same time, is an extreme form of **Abuse of Process**, and
12 another violation of her rights. (**Violating Judicial Cannon 1 Rule 1.1 Compliance With Law**).

13 These actions are currently being reported to the in multiple jurisdictions, for an
14 investigation into these Federal Crimes, or to determine if public corruption took place in these
15 proceedings, which led to *Deprivation of Rights Under the Color of Law*. **On**

16 , received an email from the Arizona Office,
17 providing her with new information about this case. The *Arizona* Office,
18 , has referred to send her **Criminal**
19 **Complaint** to the *Arizona Commission on Judicial Conduct*, to investigate the parties referred
20 to in the criminal complaint. Moreover, the Duty Agent has also referred
21 to report all Attorneys involved in the *Criminal Complaint* to the
22 which is in the process of doing, currently.

**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.**