

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-097

Judge:

Complainant:

ORDER

June 14, 2024

The Complainant alleged a city court judge improperly granted an ex parte injunction in 2019.

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 Barbara Brown and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 14, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024-097

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.

illegal ex parte communication on _____ without notice and without disclosure of accusations.
illegal ex parte judgement on of an injunction on _____ without notice and without disclosure of
accusations in violation of due process.

failure to disclose what the injunction was for until year _____ says
injunction for work place accusations but failed to obtain authorisation from the workplace.

Notice Per ARS 12-1810 Workplace Injunction. The employee has power to act as agent only to the
extent authorized by the employer. Court did not show authorization from employer substantiating
defective workplace injunction.

illegal ex parte judgement of an injunction on _____ without notice and without an affidavit of
what the emergency was and without an affidavit of what was the irreparable injury in violation of ARS
Rule 65

judge _____ failure to execute judicial duties in timely fashion in violation ARS Section 21
Article VI that requires ruling within 60 days. on Appellant motion for new trial filed _____ and
motion to vacate filed _____ case No. _____

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see attached interrogatories filed in _____ court case _____ Judge _____ fails to answer.

jurisdictional defects from _____ court injunction failing to meet compliance requirements of AZ Civ. Rule 65(b) (1) (A)(B)(2) and ARS 12-1810 (M)(2) Emergency ex parte injunction on _____ without notice, without affidavit of service, without declaration affidavit of what irreparable harm that required emergency ex parte injunction on _____ without notice.(ID 8)(ID 40-61) _____ court failed to provide legal statutory basis for emergency ex parte judgement without notice on _____ from non-emergency defamatory false work place accusations against _____ originating from Defendants including " _____ " , " _____ " from _____ months earlier on _____ Failure to provide date of disclosure of accusations to Appellant, failure to verify accusations is unconstitutional and in violation of Appellant constitutionally protected first amendment right to freedom of speech to talk and not be falselv accused for Defendants actions of child abuse on case _____ Defendants required to disclose accusations against _____ of child abuser, stalker. Before court. cases pending ARIZONA _____ COURT Case No. _____ :

Case No. _____ Court _____ Case No. _____ Court _____ Case No. _____ Court _____ Case No. _____ Court _____ Substantiated fraud by the record, Disputable new evidence of fraud not addressed; _____ court injunction is in conflict with workplace _____ evidence " _____ " . that was not addressed by court.

Due process requires, in proceedings, that adequate written notice be afforded. Such notice must inform them "of the specific issues that they must meet," and must be given "at the earliest practicable time, and, in any event, sufficiently in advance of the hearing to permit preparation.

Validity of ex parte judgment is affected by fraud and failure to give constitutionally required due process notice and opportunity to be heard in violation of constitutional protections.

THE COURT
RECEIVED SE
DOCUMENT DEPOSITORY

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pro per

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

Plaintiff,
v.
Defendants.

Court Case
No.

Court

STATE OF ARIZONA,

Case No.

Respondents/Defendants

GOOD FAITH CERTIFICATE
FOR MEET AND CONFER ON
PLAINTIFF MOTION FOR ORDER
COMPELLING DISCLOSURE

Real Party in Interest
Employer

Assigned to

1 I hereby certify on after no response in over days,
2 requesting counsel of and city for conferring and meeting in this
3 matter with a good faith effort to resolve this motion before the motion to compel was filed.
4 Counsel for and city refused to meet and confer as shown their
5 reply below as;

6 "
7
8 "
9
10 Plaintiff emailed city council that the case is
11 not dismissed, further matters remain not addressed.

12 Defendants and city failed to object as required per ARS Rule 33
13 (b)(1) that requires an answer within days, waiving their rights to any objection to
14 Production of Documents and answering relevant interrogatory questions relevant to resolve
15 factual matters of false accusations, and fraud.

16
17 **Rule 33 (b)(1) (b) Answers and Objections.**

18 (1) *Time to Respond.* Unless the parties agree or the court orders otherwise, the
19 responding party must serve its answers and any objections within 30 days after
20 being served with the interrogatories.

21 Factual matters remaining unaddressed. Plaintiff pending motion to vacate filed
22 and motion for new trial filed in year unaddressed for over years in
23 court requires a writ of mandamus to compel an order.

24 1. That discovery in the form of interrogatory questions and Request for Production
25 of Documents was mailed by certified mail to and served by email
26 to counsel Attorneys of on

1 2. On _____ Plaintiff emailed counsel Attorneys of _____ of
2 not receiving a response from _____ and _____ city in over _____ days
3 and that a response is required to resolving the false accusations and defective
4 injunction record or Plaintiff will be required to file a motion to compel.

5 3. On _____ counsel Attorneys of _____ emailed that
6 and the city will not be responding to interrogatories or any other request.

7
8 4. Defendants failed to answer to the false accusations, the failure to disclose grossly
9 false accusations such as child abuser, stalker against Plaintiff and the fraud that
10 remains on the _____ court record, state and federal databases from a defective
11 injunction obtained by illegal ex parte communication without notice in violation
12 of ARS Rule 65, without an affidavit of why injunction issued without notice
13 substantiating abuse of process, defamation of character, fraud and lies that has no
14 time limit to vacate.

15 5. Defendants failed to produce an affidavit that is required by ARS Rule 65(b)
16 ((A)(B)(C)(D) before granting an ex parte injunction without notice that
17 substantiated defective injunction, defects in foundation of _____ court
18 judgements.
19

20 Plaintiff files this good faith certificate with motion to compel for Defendants failing
21 to produce documents and failing to answer interrogatories that are required to
22 resolve this dispute. New evidence in year _____ from
23 obtained through this court subpoena substantiates Union and Plaintiff did not receive
24 a copy of accusations that _____ court injunction was based on substantiating due
25 process violations of the constitution, fraud, requiring interrogatories answered and
26 documents to be produced.
27

**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.**