

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-199

Judge:

Complainant:

ORDER

August 30, 2024

The Complainant alleged a superior court commissioner improperly granted an order of protection which has damaged his reputation.

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.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2024 - 199

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.

I, _____ am filing this complaint against Commissioner _____ who presides in the _____ County _____ Center _____ Court. This complaint is based upon violations of my _____ as well as my daughter's (_____) constitutional rights, procedural denial of due process, obstruction of justice, and conflict of interest. My supporting documents will evidence a pattern of the above violations by Commissioner _____ and mandates an investigation by this committee on its own.

Upon information and belief on _____ I, _____ appeared before Commissioner _____ for an Order of Protection Hearing that was issued on _____ Plaintiff, _____ filed false allegations against me, substantially lied under oath to Commissioner _____ yet there was reasonable cause to believe that I, the Defendant, committed an act of domestic violence within the last year. _____ alleged in her Order of Protection that I brandished a gun at a school soccer field while my daughter was scheduled to play soccer. Please note: I do not currently own or possess a firearm. This is not the first time the Plaintiff, _____ has filed paperwork stating that I brought a gun to a public function. Commissioner _____ found this allegation to be inconclusive. For the record Commissioner _____ based his decision on a prior Court Order (_____). I was advised by my attorney that a prior court order cannot be revisited in this matter. Commissioner _____ turned a blind eye to the substantial violations of my constitutional rights.

Let it be known that I am a licensed mandated reporter for the State of Arizona. I was also a mandated reporter for the State of _____ when I worked for a non-profit organization who specialized in serving individuals with disabilities. I was also a School Resource Officer for two years at _____ in the State of Arizona. I have an individual duty and responsibility to report known and suspected abuse or neglect relating to children. My daughter, _____ has been continuously and constantly abused and neglected by her mother (_____) and her significant other (_____) since she was born. I have lost everything I own to fight for justice for my daughter. Please review prior court dismissals from Honorable _____ regarding _____ attempts to alienate me from my daughter. Please review the past court documents regarding this case. I have evidence that proves beyond a reasonable doubt that my daughter was abused yet no one in the judicial realm will listen or hear my pleas for help. I have photographs and letters from doctors claiming suspected abuse yet somehow these crucial pieces of evidence are ignored and refused to be admitted as evidence. Meanwhile, I now have an OOP on file due to Commissioner _____ erroneous ruling while my daughter is abused and neglected on a daily basis to this day. Due to the failure of the Arizona Family Court System I am now subjected to supervised parenting time (imagine that... a mandated reporter has to be supervised while he is with his biological daughter for _____ hours every other _____). My daughter, _____ is dropped off in clothes that are soaked in urine. She is covered head to toe in dirt. Her glasses are so filthy she is unable to see out of them. She is significantly malnourished and underweight for her age. When I am with my daughter I notice various bruises on her body (particularly on her spine and forehead) yet I am told she is an active child and should ignore these telltale signs of abuse. My daughter will be _____ years old next week on the _____ of _____. She is unable to write/spell her full legal name because she is homeschooled by her mother. This is abuse and neglect at the highest level yet I am powerless to defend my own daughter due to Commissioner _____ prior and current rulings.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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.

Let it be known that any case involving myself that was held in front of Commissioner _____ is a gross conflict of interest. Upon information and belief he is an acquaintance with the Plaintiff's (_____) mother (_____) and/or her ex step-father/ex husband (_____). His prior and current rulings against me were based on the friendships he has with _____ Family. It didn't matter if I had an attorney to represent me due to the fact that I had already lost in the hearing that took place on _____ Commissioner _____ should have done his honorable duty and recused himself from this case. As a result of Commissioner _____ erroneous ruling I have an OOP on record for the next _____ years. My employment is in jeopardy due to this ruling. I have serious concerns about the inappropriate bias and judicial intemperance shown by Commissioner _____. His bizarre behavior has no place in our judicial system, as he clearly did not honor my the rights to due process and a fair and impartial hearing. He willingly and illegally prevented and influenced the outcome of this hearing. These serious concerns are exacerbated by the fact that he is biased against me causing my due process rights to be violated. I did not receive due process of law and was denied equal protection of the laws as stated in the 14th amendment of the United States Constitution.

I respectfully request that this committee review this complaint with an objective and open mind in deciding if this complaint is warranted. I also would like to notify the committee, at age _____ I was abused by a perpetrator in _____ Arizona and was left for dead. I sustained life threatening injuries in _____ County that consumed one year of my life of being in the hospital. Arizona _____ and law officials have no record of my life altering abuse. It is disgusting to see that this is an ongoing problem for the State of Arizona and its children, specifically my daughter, _____ is still continuing to this day. For the record if the neglect and abuse continues and something happens to my daughter the committee, the judges, are all on notice that they are aware of the situation happening before any permanent injuries or death of my daughter occur due to the abuse and neglect of her mother and significant other. The OOP against me is a concern, but my biggest issue is the life or death of my daughter due to false allegations brought against me from mother and the justice system in the State of Arizona. All of my arguments against the courts and mother can be clearly backed up by evidence beyond a reasonable doubt by _____ doctor in _____ police, and _____ colored photographs of the abuse that started when _____ was _____ month old to present time. The _____ County Family Court failed to review and accept the evidence. Please note _____ has many DCS reports regarding her _____ other children. If you require or need further information including my childhood abuse please contact me. I respectfully request that this committee make my complaint with clear evidence that can be provided available to the public at the conclusion of your review.

COURT OF ARIZONA
COUNTY

CLERK OF THE COURT

HONORABLE

Deputy

IN RE THE MATTER OF

AND

JUDGE

MINUTE ENTRY

The Court has considered Mother's
ostensibly seeking enforcement of the terms of the

Post-Judgment Petition to Enforce,
Order.

A petition to enforce a judgment must specify 1) the judgment, 2) the particular provisions to enforce, and 3) the relief requested. ARFLP 91(b). Here, Mother states that there's confusion about whether Father can attend soccer games and whether third parties can be present at supervised parenting time. It sounds like what Mother seeks, however, is a modification of the Order rather than enforcement of the order. She can seek such relief in accordance with ARFLP 91.3 but must demonstrate changed circumstances affecting the child's welfare. *See Canty v. Canty*, 178 Ariz. 443, 448 (App. 1994); *see also* A.R.S. § 25-411(L) (modification petitions must set "forth detailed facts supporting the requested modification"). In addition, she alleges that Father isn't complying with the email rules but doesn't specify what relief she seeks. The Court finds that Mother's

COURT OF ARIZONA
COUNTY

Post-Judgment Petition to Enforce doesn't satisfy the requirements of ARFLP 91(b). Accordingly,

IT IS ORDERED that Mother's Post-Judgment Petition to Enforce is DISMISSED without prejudice. Pursuant to Rule 91(i)(1), Mother has days to correct this deficiency by filing an amended petition, if she wishes to do so.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at:

COURT OF ARIZONA
COUNTY

HONORABLE

CLERK OF THE COURT

Deputy

IN RE THE MATTER OF

AND

JUDGE

MINUTE ENTRY

The Court has considered Mother's Amended Post-Judgment Petition to Enforce, but the Court finds that the Petition still doesn't satisfy the requirements of ARFLP 91(b) for the reasons stated in the minute entry. Accordingly,

IT IS ORDERED that Mother's Amended Post-Judgment Petition to Enforce is **DISMISSED** without prejudice.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: