

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-291

Judge:

Complainant:

ORDER

November 22, 2024

The Complainant alleged a superior court judge failed to address critical legal issues, appeared biased and prejudiced, as well as misapplied current law in a family law matter.

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).

Copies of this order were distributed to all appropriate persons on November 22, 2024.

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Re: Appeal Letter

Caution! This message was sent from outside your organization.

I would like to lodge an additional complaint against judge [redacted] It seems as though she is also corrupt and bias.

To Whom It May Concern,

I am writing to formally lodge a complaint against Judge [redacted] regarding her conduct in Case No. [redacted]. My concerns are based on several serious issues that I believe warrant your immediate attention and investigation.

1. Failure to Address Critical Issues: Judge [redacted] handling of my Rule 85 motion has been marked by a significant failure to consider key evidence and arguments presented. Despite presenting substantial proof of fraud by [redacted] (opposing counsel), Judge [redacted] denial of the motion did not adequately address or evaluate these critical points. This oversight undermines the integrity of the judicial process and adversely affects the fairness of the proceedings.

2. Procedural Irregularities: There have been notable procedural irregularities in the management of my case. These include [specific examples, e.g., misapplication of legal standards, lack of due diligence in reviewing evidence]. Such irregularities suggest a departure from the expected standards of judicial conduct and procedural fairness.

3. Appearance of Bias and Prejudice: The conduct and decisions of Judge [redacted] have created a strong appearance of bias and prejudice. This perception has significantly impacted my confidence in receiving a fair and impartial hearing. The appearance of partiality is a serious concern, as it undermines the fundamental principle of impartial justice.

4. Impact on Justice: The issues outlined above have had a profound effect on my ability to achieve a just resolution in my case. Judge [redacted] actions have not only affected my individual case but also raise concerns about the overall fairness and effectiveness of the judicial system.

Supporting Documents: Attached to this email are copies of the relevant documents, including:

- The Rule 85 motion and the denial order issued by Judge
- Correspondence and evidence related to the case
 - Any additional documents relevant to the complaint

I respectfully request that you conduct a thorough investigation into Judge _____ conduct in this matter. It is imperative that any misconduct or deviation from judicial standards be addressed to ensure the integrity of the judicial process and protect the rights of those involved.

Thank you for your attention to this serious matter. I trust that this commission will take the necessary steps to review and address the issues raised. Her actions have left me with my back against the wall and the only option now is suicide.

Sincerely,

On _____ Commission on Judicial Conduct
<CommissionJudicialCo@courts.az.gov> wrote:

The Commission is in receipt of your email.

We will add this information to your complaint against Judge _____ in Case No. _____
. Thank you.

Arizona Commission on Judicial Conduct
1501 W. Washington, Suite 229
Phoenix, AZ 85007
602-452-3200

From:
Sent:
To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>
Subject: Re: Appeal Letter

Caution! This message was sent from outside your organization.

MOTION TO RECUSE JUDGE

INTRODUCTION

Pursuant to Arizona Rules of Civil Procedure Rule 42(f)(1) and 28 U.S.C. § 455(a), I,

, respectfully move this Court to recuse Judge from further proceedings in this case. This motion is based on substantial grounds demonstrating a lack of impartiality, a pattern of procedural errors, and a disregard for due process rights. The allegations against Judge involve serious concerns about bias, procedural missteps, and failure to uphold justice.

LEGAL STANDARDS FOR RECUSAL

Under Arizona Rule of Civil Procedure Rule 42(f)(1) and 28 U.S.C. § 455(a), a judge must disqualify themselves if their impartiality might reasonably be questioned. This standard ensures that all parties receive a fair trial before an unbiased tribunal. Additionally, the U.S. Constitution guarantees due process under the Fourteenth Amendment, which includes the right to a fair and impartial adjudication.

GROUNDINGS FOR RECUSAL

1. Biased Rulings and Statements

Judge has made several rulings and comments indicative of bias against me, including:

- **Reduction of Communication Time:** Judge reduced my phone calls with my son to minutes based solely on the petitioner's request without any evidence of abuse. His ruling stated that " , " which is an unsubstantiated statement and reflects bias against my parental rights.
- **Denial of Due Process Rights:** Despite my requests for a fair opportunity to present evidence and respond to claims, Judge consistently denied due process. He refused to prevent from interfering with my phone calls and visitations, and allowed her to unilaterally move my son to different schools without considering my efforts to relocate near him.
- **Unjustified Denials of Requests:** Judge has denied multiple reasonable requests, including changing my son's schedule to align with his sisters and accurately calculating child support. These denials suggest a pattern of decisions not based on fairness or the best interests of the child.

2. Refusal to Address Allegations of Unethical Behavior by

- **Failure to Act on Motion to Compel Discovery:** I filed a motion to compel discovery against to address significant issues with his client's affidavits of financial information (AFIs). These affidavits failed to disclose income from various sources, including trusts, self-employment, and real estate sales. Judge denied this motion despite clear evidence and my consistent requests for disclosure.
- **Bias in Favor of Client:** Judge has shown partiality by allowing false claims to prevail, including those related to her bipolar disorder. Despite evidence suggesting her condition was not properly managed, Judge did not ensure my son's safety or verify the truth of these claims.

3. Procedural Errors and Denial of Evidence

- **Continued Allowance of Inadequate Discovery:** Judge [REDACTED] consistently permitted [REDACTED] to withhold proper discovery, which significantly hindered my ability to present a comprehensive defense. [REDACTED]’ client’s AFIs failed to accurately reflect income, and Judge [REDACTED] refusal to enforce proper discovery has prevented me from obtaining critical information necessary for my case.
- **Denial of Corroborative Evidence:** My attempts to submit evidence that corroborated my testimony were repeatedly denied. This evidence was crucial in establishing the inaccuracies in [REDACTED] claims and proving the unfair treatment I received. Judge [REDACTED] refusal to accept this evidence undermined my ability to present a complete and fair case.

4. Attempted Unfair Incarceration

- **Unjust Threat of Incarceration:** After being falsely arrested and subsequently losing custody of my son, I sought residential treatment for [REDACTED] days and faced unemployment for [REDACTED] months. Despite these circumstances, Judge [REDACTED] attempted to put me in jail unfairly by placing a demand of [REDACTED] on me. When I filed a motion to modify child support to reflect my changed financial situation, it was denied, and I was threatened with incarceration if I did not meet the demand.

5. Failure to Address Critical Evidence and Procedural Errors

- **Refusal to Obtain Medical Records:** I requested the court to obtain [REDACTED] medical records to address her [REDACTED] disorder and its impact on our child. This request was denied, and instead, my own medical records were ordered. Judge [REDACTED] has ignored ongoing issues related to her condition and its effect on my son’s well-being.
- **Statements and Orders Prior to Final Rulings:** Judge [REDACTED] has made prejudicial statements before final rulings or hearings, which demonstrate a predisposition and bias in his decisions, compromising the fairness of the proceedings.

6. Historical Pattern of Unfairness

Judge [REDACTED] history of decisions in this case reveals a troubling pattern of bias and lack of impartiality. His repeated denials of reasonable requests, coupled with his failure to address critical evidence and uphold due process, indicate a systemic issue affecting the fairness of the legal proceedings.

CONCLUSION

Given the substantial evidence of bias, procedural errors, and unfairness demonstrated by Judge [REDACTED], I respectfully request that this Court grant my motion to recuse him from this case. The need for an impartial adjudicator is crucial to ensuring that justice is served and that my due process rights are upheld.

Respectfully submitted,

On

wrote:

I found another complaint regarding Judge

On

Commission on Judicial Conduct

<CommissionJudicialCo@courts.az.gov> wrote:

The Commission is in receipt of your email.

We will add this information to your complaint against Judge in
Case No. . Thank you.

Arizona Commission on Judicial Conduct
1501 W. Washington, Suite 229
Phoenix, AZ 85007
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From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Re: Appeal Letter

Caution! This message was sent from outside your organization.

A scathing article about judicial system is coming out tomorrow regarding this case. I expect news and media outlets to start getting involved.

On

wrote:

I want to bring to the courts attention history of fraud. He is opposing counsel in my case that you are reviewing regarding Judge has a history of lying to the courts to win his court cases. in ' claims wanted her to accuse her ex husband of sexual assault even though it was fraud. has done the same thing to me from the very onstart of this case. fraud coupled with Judge inability to be non bias towards inability to pay child support culminated in my due process violations.

Not only should have been more thorough,just and fair, he also should be looking to make balanced non biased rulings by sussing out the lies. In this case, Judge is culpible in purposfully and without merit destorying my life and that of my three children.

I also want to point out that I was updated by over at the and they are

**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.**