

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-330

Judge:

Complainant:

ORDER

December 4, 2024

The Complainant alleged a superior court judge failed to issue timely rulings and permitted the opposing party to file fraudulent claims.

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 Denise K. Aguilar and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 4, 2024.

Arizona Commission on Judicial CONDUCT.

Background

The relevant facts are not in dispute. Respondent (“ ”) committed fraud on the Court. Violating Arizona Revised Statute §13-2702, On signed a verified petition, she did not receive her awarded half of distribution products, an investment the couple owned.

Individual Retirement Accounts are governed by U S C §1041 and §408, Judicial code of conduct, CANON 1 RULE 1.1 is as follows,

Compliance with the law, “A judge shall comply with the law, including the Code of Judicial Conduct.”

FIVE CLAIMS: (Count 1) lied to the Court, violating ARIZONA REVISED STATUE §13-2702 ,(Count 2) Judge knowingly accepted the lie as truth and ruled, (Count 3) Judge DID not follow U S C §1041 and §408, transfer incident to divorce (Count 4) Judge ignored evidence motion from (Count 5) Judge willfully allowing to bypass the IRS pre age 59.5 10% penalty .

COUNT 1

Fact, On Respondent (“ ”) signed a verified petition, exhibit “A”, as true THAT she did not receive payment of , committing

fraud upon the court, and the ONLY evidence submitted for this judgement, was a lie. months prior on Petitioner submitted the Property settlement agreement, exhibit "B", as evidence, that validates respondent did in fact, receive as said payment for , pursuant to ARS §13-2702.

"Fraud is a broad term"
See *United States v Grainger*, 701 F.2d 308,311 (4th Cir. 1983) cert. 461

U.S. 947 (1983) and *Bryson v United States*, 396 U.S. 64, 90 S.Ct. 355, 24 L.Ed.2d 264(1969).

COUNT 2
On

Judge entered into a judgement, exhibit "C" against Petitioner, for with half rewarded Individual Retirement Accounts (IRA) , Pursuant to Title 26 US Code §1041 and §408(6), exhibit "D", "Transfer incident to divorce". See *Billings v. Commissioner of Internal Revenue*, 127 T.C. 7,2006 WL2059399 (2006) and see *Berger v. Commissioner of Internal Revenue*, 71 T.C.M. 2160 (U.S.T.C.1996). Judge included in the judgement, even though, the Arizona Court on said, not only

was my evidence from [redacted] received but review by the Court.

Count 3

Section 1041 was enacted as part of the Deficit Reduction Act of 1984,

Pub.L.No.98-369, sec. 421, 09 Stat. at 793-795. Legislative history states that

Congress enacted the provision in an effort to eliminate or reduce extensive

litigation and uncertainty surrounding the tax treatment of divisions of property

between spouse's incident to divorce.

Regarding, CANON 1 in the Code

of Judicial conduct, CANON 1 RULE 1.1. Compliance with the law,

"A judge shall comply with the law, including the Code of Judicial Conduct."

Judge [redacted] did not demonstrate following TITLE 26, US Code §1041

"transfer incident to divorce" by issuing a judgement against what the

letter of the law says. CANON 2, RULE 2.2. Impartiality and Fairness, "A judge shall uphold and

apply the law, and shall perform all duties of judicial office fairly and impartially".

On [redacted] Judge [redacted] did not demonstrate Fairness on Petitioners

objection to the writ, pursuant to ARS §13-2702, as the fact, respondent

committed fraud upon the [redacted] Court on [redacted] Judge

blatantly ignored the truth and laws put forth to keep the judicial

system fair and financially burdening me. Furthermore, my motions from

and , were never addressed by Judge .

Again, bringing me to CANON 2, RULE 2.2, Impartiality and Fairness. The

senseless act of USC §1041 is not a garnish able event, under

the law had full access to the IRA accounts and chose to manipulated the judicial

system in stead of using the proper procedure to collect her awarded half. in

garnishing my wages, and not allowing my voice to be heard. This act, not

representing the law put forth to keep accordance with the judicial system.

For this, unequivocally our judicial system is based on the pillars of the law. It's

imperative to enforce the law and it must be consistent. Fact, the previous

depict, many attempts were made, through motions and phone calls to Judge

office requesting pertinent information, that for one reason or another

were ignored, thus by my Fourteenth Amendment, ratified in 1868, called the Due

Process Clause, to describe a legal obligation of all states. Thus, American

government must operate within the law ("legality") and provide fair procedures

granted to me under the US constitution.

Arizona State Public Employees requirements of U.S. Constitution Oath:

Judicial Officer: Arizona Constitution, Article 6 Section 26 – “Oath of officer”. A.R.S. § 38-231. Record of “Oath” A.R.S. §38-233

Arizona State Bar Association: A.R.S. §38-231 “Loyalty Oath.” Record of Oath” A.R.S. § 38-233. ARSC 37(b), Oath with the Arizona Loyalty Oath of Office and Rule 32(c)(3); R-16-0029 Rule 31, Rules of the Supreme Court (Oath and Creed) Arizona Supreme Court Rules 33 through 37

COUNT 4

On . My council, ESQ filed a motion, exhibit “E” with evidence committed fraud on the Court, and asked Judge why my two previous motions were not address and no reply or answer from judge . This is a direct contradiction of CANON 1, RULE 1.2, Promoting confidence in the Judicial system. When a member of the presents factual evidence questioning the decision by judge which is my constitution right, or the direction of a judgement and this member is invalidly dismissed ESQ motion.

Decision, , “

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THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**