

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-377

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Judge:

Complainant:

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**ORDER**

December 17, 2024

The Complainant alleged a superior court judge issued untimely rulings, utilized judicial office for personal gain, and demonstrated bias against complainant.

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 Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 17, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2024-377**

**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.

Please see Attachment A for factual allegations.

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Please see Attachment A for factual allegations.

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- H. Judge Rejected Plaintiff's Multiple Filings Of Discovery Dispute Statements For A Lack Of Meet/Confer Efforts, While Allowing Attorney and Attorney Richard L. Palmatier To File Discovery Dispute Statements And/or Motions Without Meeting/Conferring With Plaintiff
- I. Judge Intentionally, Knowingly, And Maliciously Mischaracterized, Omitted, Or Misrepresented Key Facts In Plaintiff's Motion To Continue The Evidentiary Hearing, In Part, Because of the Court's Delay In Issuing Rulings On Plaintiff's Discovery Motions That Would Have Allowed Plaintiff To Conduct Discovery Prior To The Evidentiary Hearing

#### LEGAL ARGUMENT

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ATTACHMENT 3

MEMORANDUM OF AUTHORITIES

INTRODUCTION

This complaint against Judge [redacted] engaging in conduct that constitutes judicial misconduct. The conduct includes but is not limited to delaying issuing rulings that prejudiced me ("Plaintiff"), using the office of the judge for personal gain, failure to execute her judicial duties, and misusing/abusing judicial discretion to enforce her bias against me and for the benefit of Attorney [redacted] and his client.

FACTUAL ALLEGATIONS

A. Judge [redacted] Grants Discovery To Determine Whether Attorney [redacted] Engaged in Misconduct

On or about [redacted] of [redacted] Judge [redacted] took over the matter with the case number of [redacted] after Judge [redacted] was disqualified and/or recused himself.

On or about [redacted] before the change of judge, Judge [redacted] heard both Plaintiff's and Defendant's respective motions for sanctions. Judge [redacted] denied Plaintiff's request for sanctions and granted Defendant's request for an evidentiary hearing. Judge [redacted] noted during the [redacted] hearing that because Plaintiff's defense against Defendant's request for sanctions included the same facts as her motion for sanctions against Defendant and Attorney [redacted] Judge [redacted] would allow discovery regarding Plaintiff's opposition and would review Plaintiff's request for sanctions sua sponte to consider imposing sanctions against Attorney [redacted]. In relevant part, the conversation developed in this manner:

### ATTACHMENT 3

The controller that Plaintiff mentioned at this hearing is Plaintiff also submitted the recorded statement of these individuals, who identified as the person who coordinated with Attorney to the Court. As noted in Plaintiff's motion for leave to depose and request documents from enabled Attorney to prevent Plaintiff from witnessing the inspection of the and/or to conduct her own inspection of the They both coordinated these efforts. Clearly, Judge intended to allow Plaintiff to depose and/or request documents from otherwise, there would be no evidence of Attorney obstruction for him to consider and that would cause him to revisit his ruling denying Plaintiff's Motion for Sanctions against Defendant and Attorney

#### **B. Judge Gives Plaintiff Leave To Subpoena All Witnesses She Wants To Testify At The Evidentiary Hearing**

In the same hearing reference above, in Judge gave Plaintiff leave to subpoena all relevant individuals in her defense of Defendant's request for sanctions and Plaintiff's request for sanctions against Attorney and Defendant at the evidentiary hearing, initially scheduled for

As a result of Judge grant of leave, Plaintiff subpoenaed multiple individuals who Plaintiff believed were relevant individuals to prove Attorney obstruction and interference with Plaintiff's access key evidence, including but not limited to Attorney and his wife, who has relevant information regarding Attorney instructing individuals, herself included, to evade service of the subpoenas all to obstruct Plaintiff's access to relevant evidence. Her testimony is relevant in Plaintiff's prosecution of sanctions against Attorney and Defendant. Further, Attorney is the Plaintiff's key witness in her defense of Defendant's request for sanctions and Plaintiff's prosecution of sanctions against Attorney

#### **C. Judge Makes A Legal Finding That Plaintiff Abused The Subpoena Power When Plaintiff Was Acting Under The Leave/Authority Granted by Judge**

**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.**