

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-387

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Judge:

Complainant:

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**ORDER**

December 17, 2024

The Complainant alleged a superior court judge was biased due to Complainant's race and status as a self-represented litigant.

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.

Plaintiff, **Pro Se**

v.

**The Honorable** \_\_\_\_\_,  
County \_\_\_\_\_ Court Judge,  
Defendant

**ADDENDUM A:**

**ARIZONA JUDGE COMPLAINT:**

Dear Commissioner,

Case No.

**FORMAL COMPLAINT AGAINST JUDGE \_\_\_\_\_ FOR JUDICIAL MISCONDUCT,  
PROCEDURAL DISPARITIES, AND**

**INTRODUCTION**

1. Plaintiff \_\_\_\_\_, acting pro se, submits this formal complaint against \_\_\_\_\_ (\_\_\_\_\_), \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and Judge \_\_\_\_\_ for retaliation, racial discrimination, financial hardship, procedural bias, and violations of civil due process. These issues were allowed to escalate due to the inaction of Judge \_\_\_\_\_, leading to unjustified judgments and a denial of Plaintiff’s rights. Despite multiple motions and requests for intervention, Judge \_\_\_\_\_ failed to prevent the retaliatory conduct and abusive legal tactics employed by the defendants, resulting in nearly \_\_\_\_\_ in attorney fees and costs levied against Plaintiff—

**Case Number:**

a single mother facing severe financial hardship. These actions deprived Plaintiff of her constitutional rights to due process, equal protection, and a fair trial.

2. Plaintiff seeks relief for violations of her Fourteenth Amendment rights, housing discrimination under the Fair Housing Act (42 U.S.C. §§ 3601-3619), and compensation for the emotional and financial harm caused by Defendants' continued retaliation and discriminatory conduct, which was exacerbated by Judge failure to address these abuses.
3. Despite Plaintiff's documented financial hardship and the court's recognition of this through a prior fee waiver, Judge did not follow Arizona civil procedure by failing to provide Plaintiff with timely notice of the judgment. As a result, Plaintiff was unaware of the nearly in judgments awarded to Defendants , , , and Board of Directors, including its president , until , when Plaintiff received a letter from the defendants' attorney, , demanding payment. This failure to notify constitutes a violation of Plaintiff's civil due process rights, further exacerbating the financial and emotional harm caused by Defendants' retaliatory actions.

**PARTIES**

4. , a single mother residing in County, Arizona, has endured significant financial and emotional distress due to the retaliatory actions of the Defendants and the failure of Judge to protect her rights as a self-represented litigant. The persistent harassment and procedural injustices have compounded the challenges she faces as a single mother with limited resources.
5. Defendants, including the ( ), Board of Directors President , its owner , and Community Manager , are directly responsible for the retaliatory actions, discriminatory practices, and harassment that Plaintiff suffered throughout the civil litigation process. Their coordinated actions, coupled with the inaction of the court, have severely disadvantaged Plaintiff and exacerbated her hardship.

## JURISDICTION AND VENUE

5. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 and 42 U.S.C. § 1983, as Plaintiff's claims arise from violations of her constitutional rights. The Court also has jurisdiction over state law claims pursuant to 28 U.S.C. § 1367.
6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b), as the events giving rise to these claims occurred in \_\_\_\_\_ County, Arizona.

## FACTUAL ALLEGATIONS

### 1. Judge \_\_\_\_\_ Refusal to Stop Harassment and Retaliation

Plaintiff initiated a civil case against \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, alleging retaliation, discriminatory practices, and violations of the Fair Housing Act. Despite submitting multiple motions to expedite proceedings and seeking relief from ongoing harassment, Judge \_\_\_\_\_ repeatedly denied her requests, allowing the situation to escalate unchecked. Plaintiff and her family were left in a state of constant fear and insecurity, enduring continuous retaliation and harassment without any intervention or protection from the court, further jeopardizing their well-being and safety.

### 2. Failure to Address Retaliation and Procedural Bias

Despite Plaintiff's continuous reports of retaliatory actions, Judge \_\_\_\_\_ failed to intervene or address the discriminatory practices by Defendants. For example, Plaintiff was denied access to the HOA portal, which prevented her from making timely payments and resulted in late fees and liens being imposed. Additionally, Plaintiff was entirely blocked from receiving any assistance regarding her HOA needs. In a further effort to ostracize Plaintiff, a new policy was specifically created and enforced against her after she questioned the results of the \_\_\_\_\_ Board of Directors Election. Despite Plaintiff repeatedly bringing these retaliatory actions to the court's attention, Judge \_\_\_\_\_ ignored her complaints, effectively allowing the Defendants' harassment to continue unchecked. This lack of judicial intervention left Plaintiff in an increasingly vulnerable

and isolated position, further compounding the harm she suffered and emboldening Defendants to escalate their attacks against her. (See Exhibit #3 and Exhibit #13)

### 3. Violation of Rule 54(g) and Aggravation of Financial Hardship

Rule 54(g) of the *Arizona Rules of Civil Procedure* requires that courts consider a party's financial circumstances when awarding attorney fees. In case, despite her documented *financial hardship* and the prior approval of a *fee waiver*, Judge allowed attorney fees and costs to accumulate, ultimately resulting in nearly \$ in judgments across two cases. (See Exhibit #10 and Exhibit #11)

#### Supporting Evidence:

- **Fee Waiver Request and Financial Circumstances:** fee waiver request, which was granted due to her inability to pay court costs, clearly established her financial hardship. Nonetheless, this hardship was ignored when the court imposed in fees in case and in this case, without considering her limited financial means. This disregard directly violated the financial protections under *Rule 54(g)*, which explicitly mandates consideration of financial circumstances before imposing such fees. (See Exhibit #1, #2, and #10, and #11)
- **Minute Entries Ignoring Financial Hardship:** The *minute entry* shows that Judge dismissed claims and ordered the defendants to submit an application for attorney fees despite knowing her economic limitations. This reflects a failure to uphold Rule 54(g) and further exacerbated her financial burden. (See Exhibit #7)

### 4. Dismissals Without Considering Retaliation (Patterns of Bias)

Judge demonstrated a pattern of bias by dismissing several of motions without properly considering the retaliatory nature of the defendants' actions, as detailed in the *minute entries from*, and. These dismissals include the denial of injunctive relief and sanctions despite compelling evidence of ongoing harassment and retaliation. (See Exhibit #7, Exhibit #8, and Exhibit #9)

**Examples of Judicial Bias:**

- **Minute Entry:** motion to strike the defendants' response for false allegations of harassment and her request to stop the retaliatory actions was denied by Judge , while the defendants' partial motion to dismiss was granted. This denial allowed the defendants to continue their harassing behavior, such as blocking access to the HOA portal, without consequence. (See Exhibit #7)
- **Minute Entry:** motion for injunctive relief against harassment was denied because Judge ruled that the proper procedural steps were not followed, even though the harassment was ongoing and posed a significant risk to and her family. This ruling illustrates the court's focus on procedural technicalities over the substantive issues of retaliation and harassment. (See Exhibit #8)
- **Minute Entry:** In this ruling, Judge denied motion to strike sanctions and address ongoing harassment again, dismissing her concerns without directly engaging with the merits of her claims. This pattern of dismissing key motions shows a consistent failure to provide judicial protection. (See Exhibit #9)

**5. Conflict of Interest Regarding**

A central issue in case was the conflict of interest involving , who represented multiple parties in the case, including , , and . Despite raising this issue on multiple occasions, Judge failed to address it, thereby enabling the defendants to consolidate their legal strategies, which unfairly prejudiced ability to litigate her case. (See Exhibit #

**Details of the Conflict of Interest:**

- **Representation of Multiple Parties:** represented both ( ), including Board of Directors , as well as and individual defendants and across two separate cases, despite him being personally named in both cases. This dual representation presented an inherent conflict of interest. The HOA's interests may not have aligned with

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COMPLAINT ON ITS WEBSITE.**

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REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
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COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**