

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-485

Judge:

Complainant:

ORDER

April 11, 2025

The Complainant alleged a superior court judge committed various Code violations during a civil lawsuit involving his homeowner's association.

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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 11, 2025.

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

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2024-485

COMPLAINT AGAINST A JUDGE

Name:

Judge's Name:

From the ARIZONA CODE OF JUDICIAL CONDUCT, the following violations has occurred:

In Brief, Outline of issue with filings:

- 019 - ME: Ruling
- NOT - Notice
- MOT - Motion
- NOT - Notice - Part 1 OF 1 - ID
- AMC - Amended Complaint - PART 1 OF 1 - ID
- 019 - ME: Ruling
- MTA - Motion to Amend - PART 1 OF 1 - ID

SUMMARY

The Plaintiff motioned the court to file an Amended Complaint. Presented a Redlined Amended Complaint draft to the court
Judge approves Plaintiff to file their Amended Complaint
Plaintiff files their First Amended Complaint
Plaintiff files their NOTICE OF LIS PENDENS – untimely
I file a Notice of Substantive Violations of Due Process of Law – plus I was NEVER SERVED the Amended Complaint
Motion for Preliminary Injunctive Relief due to Due Process Violations
Judge denies ALL requested Relief from Due Process violation filing

To date, this judge has **ignored** my Motion for Injunctive Relief

PREAMBLE:

Numerous violations in the verbiage of the Preamble has occurred, which makes it impossible for Fairness and Equity to prevail under this judge.

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Rule 1.1. Compliance with the Law

This judge has failed to uphold the Loyalty Oath of Office, has violated my substantive rights of Due Process of Law, both state of **Arizona and USCA Constitution** and the Homeowners Association has failed to comply with **A.R.S. 33 § 1807** and this judge allowed a **Notice of Lis Pendens** to be filed against my home, without Due Process of Law. See also pursuant to **Arizona Constitution, Article 6, Section 26**, **A.R.S. §§ 38-231, 38-232, 38-233** and **U.S.C.A. Constitution of United States**.

I was never allowed to file an Answer to the Amended Complaint prior to this judge ruling on it in favor of the Plaintiff.

The plaintiff had filed a First Amended Complaint "draft", notated herein as it was originally drafted electronically, showing "RED" ink in their Exhibit A on

*"A redlined Proposed First Amended Complaint is attached as **Exhibit A**."*

As stated in "PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT" filed on

I was **NEVER SERVED** this document, OR the completed "FINAL DRAFT" has never been served upon me pursuant to: **Ariz. Rules Civ. Proc., Rule 4.1.**, even though the judge, even though denying my Due Process Violations Filing, did state I must file an Answer to the Amended Complaint – which I have **NOT** been served.

I have been citing Contract Law for 2 years, but have been unable to have the Court give due consideration or gain relief, (or ANY judge for that matter), from Contract Law violations, as a Contract between the HOA and myself does not exist.

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Rule 1.2. Promoting Confidence in the Judiciary

By the actions of this judge, this veteran, that upholds his Loyalty Oath of Office, expects a judge to do the same, and believes there is a greater need for a judge to provide and uphold the written laws of **Arizona and Federal Law, and Constitutional Law**, as well as equity and equality. Ignoring **Ariz. Rules Civ. Proc., Arizona Statutes**, is unacceptable. His actions undermine my confidence in the Judiciary all the more, as his present attempt of "railroading" me out of my home is not only wrong, but contrary to law and furthermore, is "wrongs" against me. He approves everything the Plaintiff files, but doesn't appear to even consider my filings: see hastiness as he ruled on my Due Process Violations Motion within 2 days (to), even though filed on) Impropriety, malfeasance and lack of integrity in his servant role to the public is compromised and due to his public and "visual" role, should receive a consequence for his actions. I have asked for recusal, by motion, this day.

Rule 1.3. Avoiding Abuse of the Prestige of Judicial Office

Although this may be difficult to prove, I believe he is colluding with attorneys defending the HOA in this matter, so they will win the case. Since he has the power and authority to Rule against me, he has not hesitated to do so. Why would he not even begin to entertain the motion I filed on for Injunctive Relief?

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Rule 2.2. Impartiality and Fairness

Rule of law required Impartiality and Fairness to all parties, as the law is written in such manner. I do not observe Impartiality and Fairness to me, as my arguments are pursuant to law. I have been litigating a difficult matter, and I must use the court system to obtain justice, through judges – although I may have to go to a jury trial to obtain justice, but it seems, in this county, the judge would intervene in such a manner that would fail as well. I have a right to be heard, and properly considered, even though I am not a holder of a BAR License, but defend myself.

Rule 2.3. Bias, Prejudice, and Harassment

Continuing from the previous comments, it should NOT matter that I am NOT an attorney with a Bar License. My arguments ARE EQUALLY important and WEIGHTY as any attorney. Justice is NOT supposed to see one's status or training or gender or color of their skin, or lack of a BAR License. I believe my position in this case has been compromised by prejudice and bias, leading to harassment and an unfair attempt to take my home from me by Foreclosure.

Rule 2.4. External Influences on Judicial Conduct

Although I cannot prove this, this judge's actions points to a very scary breakdown in the judiciary: DO NOT EVER RULE AGAINST AN HOA! If this is true, is it possible for any judge to provide a fair outcome of a case against an HOA? If this judge is compromised,

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this is a horrid corruption of this case and the **WHOLE OF LAW**. This judge **MUST** be bound by the written law, that is part of this Loyalty Oath of Office.

Rule 2.6. Ensuring the Right to Be Heard

This is an **essentially important** subject, as a Fair and Equitable Judicial system rests upon this Right! Over the past years of litigation against this HOA, I cannot recall even 1 (one) motion that I was **Granted**. It certainly appears that I have NOT been heard, because hearing a person is giving **PROPER** consideration of one's argument, which encompasses Due Process of Law. I have **NOT** been heard by this judge – and this is alarming, putting it mildly.

Rule 2.11. Disqualification

Today, in Court, I also filed a Motion for Judge to recuse himself. I believe this is an appropriate he should take forthwith, considering all above, which I will not reiterate here.

**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.**