

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-498

Judge:

Complainant:

ORDER

September 26, 2025

The Complainant alleged a pro tem city court judge failed to control the courtroom with a criminal defendant.

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 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 Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 26, 2025.

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

FOR OFFICE USE ONLY

2024-498

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.

am a prosecutor with the Pro Tem Judge was the assigned judge for a pretrial conference in these matters with defendant on for which I was the assigned prosecutor. To the best of my knowledge, was brought in to handle these matters specifically. This particular defendant was not only known to be vulgar and abusive, but the previous two judges had recused themselves from matters - the last judge because she had was an experienced judge who had previously served as the Court. However, he resigned as a after the recommended that he not be reappointed.

At the hearing, permitted to behave in the most disgusting manner that I have ever witnessed or heard of in a court of law. Not only was the victim present at the hearing, allowed to insult and disparage her on numerous occasions throughout the hearing. also livestreamed the entire hearing to The video is best viewed in its entirety, but highlights include when

(1) called a " ' and called the victim a " ' at 1:25;

(2) called me a " " at 12:18;

(3) said " " at 20:14;

(4) called me (to whom he had also directed contact) at 25:22 (at which point I asked to hold n contempt);

(5) directly called the victim " " at 44:55.

There is far more. This went on for over an hour.

After the hearing, given the sum total of behavior. I was not sure if he was competent to stand trial. Out of an abundance of caution and to ensure that rights were being upheld, I filed a motion for a competency examination under Arizona Rule of Criminal Procedure 11. summarily denied that motion at a subsequent proceeding without even considering that should have his competency examined -- finding that was " " but not incompetent.

If behavior at the hearing did not constitute contempt then there has never been a contempt in the history of the American justice system. If believed that was competent, there was simply no excuse for what he allowed to occur at the hearing on If he was scared of he should not have accepted the assignment. Moreover, there are police officers and security stationed in and never attempted to call them. If he did not care about behavior or think it was somehow acceptable, he has no business being a pro tem judge.

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The most concerning occurrence at the hearing by far -- more so than swearing or referring to me or the in a vulgar manner -- was that repeatedly allowed to disparage the victim with impunity and without consequence. A court of law is not a place to let someone " at a victim's expense. It is an institution that demands dignity and respect, a place where people go to have their rights vindicated, and a place where victims and witnesses can go knowing they will be free from intimidation and harassment. Victims in Arizona have rights guaranteed by the Constitution. The Arizona Supreme Court has likewise explained that "[j]udges should use their judicial authority to protect victims and witnesses from harassment, threats, intimidation and harm." State v. Bush, 148 Ariz. 325, 330 (1986). had rights. And allowed to trample them.

These matters concluded on after moved to dismiss because the victim was not going to be available for trial. That the victim was unable to attend trial after what permitted at the hearing is unsurprising. How could any victim ever go into thinking that their rights would be upheld after what allowed to occur that day? And why would any defendant act differently in a subsequent hearing after being allowed to swear at the judge and prosecutor with impunity, and call the victim a " ' and a " " all while broadcasting the same to thousands of people on ?

Consequently, I am reporting this matter pursuant to Arizona Rule of Professional Conduct 8.3(b). I am aware that filing this complaint earlier would not necessarily have formed a basis for recusal for However, I wanted to wait until the matter was concluded in order to avoid any possible appearance of impropriety -- i.e., that I was submitting this complaint to have removed or recuse himself from the case or subsequent matters, or for :o obtain some kind of tactical advantage in those matters.

The requirements of the Arizona Code of Judicial Conduct "apply to all judges[.]" Application, Part A(1), including pro tem judges (with some exceptions that are inapplicable here). conduct on violated Canon 1.2, which requires a judge to promote "public confidence in the . . . integrity . . . of the judiciary," Canon 2.8(A), which requires judges to maintain "order and decorum in proceedings before the court[.]" and 2.8(B), which requires courteousness of "others subject to the judge's direction and control."

as an attorney, also violated Arizona Rule of Professional Conduct 8.4(d), by engaging "in conduct prejudicial to the administration of justice[.]" I have been informed that this Commission is the exclusive tribunal for complaints regarding conduct of a judge -- even a pro tem judge. However, if that understanding is incorrect, I will also be submitting a complaint to the Arizona State Bar as well.

I appreciate your time and attention to this deeply concerning matter.