

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-052

Judge:

Complainant:

ORDER

May 23, 2025

The Complainant alleged a municipal court pro tem judge improperly issued a failure to appear, when there was no jurisdiction, in a DUI case.

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 allegations of the complaint in this matter solely raised disagreements with legal rulings. The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. "A good faith error of fact or law does not violate this rule. However, a pattern of legal error or an intentional disregard of the law may constitute misconduct." *See* comment 3 to Rule 2.2 of the Code of Judicial conduct. Any violation of the Code of Judicial Conduct must be proven by clear and convincing evidence.

A mistake in a ruling does not automatically mean that the judicial officer has engaged in judicial misconduct. Judicial officers are required to exercise their discretion in making their decisions. Even if a judicial officer's decision is legally or factually incorrect, the ruling is generally considered to be "legal error" and not "ethical misconduct" that the Commission can address. When a complaint to the Commission solely relates to the correctness of a judicial officer's legal decisions, the Complainant is seeking the Commission to function in the capacity of an appellate court. Correcting legal errors is the role of the appellate courts, not the Commission.

The Commission is a regulatory body with limited jurisdiction. The Commission is not a court, and as such, it does not have any authority to overturn a judicial officer's rulings, intervene in a case, assign a new judge to hear a case, or award any monetary or other relief. The Commission process cannot be a substitute for seeking appellate review.

The Commission reviewed all information submitted by the Complainant 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).

A Duty Panel comprised of Commission members Denise K. Aguilar, Colleen E. Concannon, and Joseph C. Kreamer considered this matter.

Copies of this order were distributed to all appropriate persons on May 23, 2025.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2025-052

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.

THE PETITIONER RESPECTFULLY PETITIONS THIS HONORABLE COURT TO ISSUE A WRIT OF PROHIBITION TO THE MUNICIPAL COURT, WHICH HAS ACTED IN ECCESS OF ITS JURISDICTION AND FAILED IN ITS FIDUCIARY OBLIGATIONS TO THE PETITIONER, A BENEFICIARY UNDER TRUST LAW PRINCIPLES. BY ITS REFUSAL TO ACKNOWLEDGE THE PETITIONER'S DULY FILED NOTICE OF VOID JUDGEMENT, THE RESPONDENT COURT CONTINUES TO OPERATE UNDER A VOID AND INVALID ACT, IN BREACH OF NATURAL JUSTICE AND EQUITY. CONTINUING TO CAUSE HARM TO MYSELF, LOSS OF JOB, LOSS OF VEHICLE, LOSS OF HEALTH FNSURANCE AND LOSS OF POTENTIAL JOBS.

SEE ATTACHED DOCUMENTS

Attachments: [WRIT OF PROHIBITION -](#)

[CRT.pdf](#)

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Writ of Prohibition

Caution! This message was sent from outside your organization.

“Hello, my name is . I am requesting immediate action from your office regarding egregious violations of fundamental principles of equity, constitutionally secured rights, and due process committed by the Police Department Name and Municipal Court. I was unlawfully arrested and charged with a DUI despite not being engaged in commerce and with no injured party. These violations strike at the very heart of equity and justice, and I am requesting immediate relief under equity law.

Equity as the Supreme Mandate:

1.

Equity Requires Jurisdiction to Be Proven, Not Presumed:

“Equity commands that no action may proceed without jurisdiction clearly established on the record. Courts and enforcement agencies must demonstrate lawful authority to act. As the supreme maxim holds: Equity will not suffer a wrong to be without a remedy. Here, the continued prosecution in the absence of jurisdiction constitutes a

grave wrong requiring immediate correction.”

2.

Absence of a Victim Violates Equity’s Core Principle:

“In equity, where there is no harm, there can be no lawful cause of action. The cornerstone of justice is that every right violated demands a corresponding injury to be addressed. There is no injured party or breach of duty in this matter. *Actio non datur nisi sit damnum aut injuria* (An action is not given unless there is damage or injury). The state has no standing to prosecute a victimless act under equity or any other lawful jurisdiction.”

3.

Jurisdictional Challenge and Void Judgment:

“I have formally filed a notice of void judgment and a writ of prohibition, lawfully invoking the court’s duty under equity to cease all proceedings until jurisdiction is proven. Equity recognizes that *Quod ab initio non valet, in tractu temporis non convalescet* (What is void from the beginning cannot be validated by time). Their continued refusal to cease proceedings is a blatant violation of the equitable principle that the law will not suffer a wrong to persist.”

- 4.

- Equity Commands Transparency and Fiduciary Accountability:

“I have lawfully requested the bond numbers of all public officials involved, as these bonds represent their fiduciary duties. Equity holds that He who acts as a fiduciary must

act in utmost good faith and transparency. Their failure to produce these bonds is a direct breach of fiduciary duty and violates equity's demand for accountability.”

Equitable Demands for Immediate Remedy:

“I am making the following lawful and equitable demands:

1.

Immediate Proof of Jurisdiction: Compel the court to demonstrate lawful jurisdiction or declare all proceedings null and void. Equity will not suffer a judgment to stand that was rendered without lawful authority.

2.

Immediate Dismissal of Charges: Nullify all charges and actions taken against me, as they are void for lack of jurisdiction and the absence of any injury or victim.

3.

Investigation into Fiduciary Breach: Hold all involved officials accountable for their failure to provide bond numbers and for proceeding in bad faith.

4.

Public Accountability: Ensure that transparency and fiduciary accountability are restored in accordance with equity's supreme demands.”

Closing Declaration:

“Equity is not a subordinate principle; it is the foundation of all justice.

Equity regards as done that which ought to be done. I will not stand by while officials act with unclean hands and disregard equity's mandate for fairness and justice.

If this matter is not immediately remedied, I will be compelled to escalate this issue further.

**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.**