

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-108

Judge:

Complainant:

ORDER

June 10, 2025

The Complainant alleged a city court judge improperly viewed the evidence in an order of protection 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 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 members Denise K. Aguilar and Scott H. O'Connor did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 10, 2025.

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

FOR OFFICE USE ONLY

2025-108

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.

LEGAL REPORT & NARRATIVE ANALYSIS

Re: Protective Order & Due Process Violations

I. Introduction

This report outlines the legal and procedural concerns surrounding the protective order obtained against me by . The evidence provided demonstrates clear inconsistencies, falsehoods, and a misuse of the legal system to inflict harm rather than to prevent it. Furthermore, the application of the Brady Law against me was both improper and unjust, as I have no documented history of violence, and my due process rights were violated in multiple ways.

II. Factual Background

1. Relationship & Events Leading to the Protective Order

- I was in a romantic relationship with , during which I provided financial and emotional support.
- During this time, evidence of infidelity began to surface, leading to disputes and communication breakdowns.
- Despite these issues, there was no documented physical violence or threats of harm towards her.
- I voluntarily gave her a firearm for protection, a fact that directly contradicts the idea that I was a danger to her.
- Shortly after I requested the firearm be returned, she filed a protective order against me.

2. Protective Order Hearing & Procedural Violations

- At the hearing, I was limited to presenting only pieces of evidence, despite having pages of documentation proving her pattern of deception and inconsistent claims.
- The judge failed to review all submitted evidence, instead making a ruling based on limited information.
- The protective order was granted without police reports, independent witnesses, or documented threats of violence.
- The court failed to allow context when reviewing statements allegedly made by me.

III. Analysis of Inconsistencies & Evidence

The timeline of events, phone records, and social media activity show that was not in fear for her life but rather used the legal system to retaliate after our breakup.

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Timeline of Events & False Claims:

- She claimed to be at _____ with her mother but was later at _____ in _____ at _____, which is questionable given _____ lack of that restaurant.
- She made contradicting statements about her whereabouts, suggesting deception.

- Fabricated Allegations of Racism & Witchcraft Accusations:

- During the hearing, when her initial claims failed, she resorted to accusations of racism and witchcraft, which were irrelevant and unsubstantiated.

2. Misuse of the Protective Order System

- The absence of police reports or independent verification raises concerns that this was not about safety but rather an attempt to gain leverage.
- Her behavior after the order, including attending social events immediately after the ruling, further undermines claims of imminent danger.

3. Brady Law Misapplication

- The Brady Handgun Violence Prevention Act is meant to prevent firearm possession by individuals with a history of domestic violence or restraining orders based on documented threats.
- The court's decision to apply Brady Law against me was improper because:
 - I have no prior criminal history of violence.
 - There was no due process in proving I was a threat.
 - Arizona case law (e.g., *State v. Fischer, 2012*) has overturned firearm restrictions where protective orders were granted without substantial evidence.

IV. Due Process Violations (Legal References & Case Law)

1. Right to Present Evidence

- The Fourteenth Amendment guarantees due process, including the right to present a full defense (*Mathews v. Eldridge, 1976*).
- Restricting me to only _____ pieces of evidence while ignoring _____ pages violates my right to a fair hearing.

2. Failure to Provide Just Cause for Firearm Restrictions

- In *United States v. Skoien (2010)*, the Seventh Circuit ruled that Brady Law restrictions must be based on substantial evidence of ongoing threat.
- *Arizona v. Wallace (2017)* overturned a firearm restriction because the protective order lacked sufficient findings of credible threat—similar to my case.

FORMAL LEGAL REPORT & ANALYSIS

Re: Protective Order & Wrongful Domestic Violence Conviction

Submitted by:

I. Introduction

This report details the due process violations, judicial misconduct, and law enforcement failures that resulted in my wrongful conviction for domestic violence and violation of a court order—despite the absence of any verifiable evidence. The protective order obtained by _____ was not based on legitimate fear but was a calculated act of retaliation and legal manipulation.

Furthermore, my wrongful conviction was based on an unverified email with no IP address and an "at no reply" sender, which was never proven to have come from me. Despite this, I was forced to plead guilty due to legal manipulation, ineffective representation, and judicial bias. Additionally, new evidence reveals that even after my conviction, _____ continued pursuing legal action against me, attempting to retrieve the firearm I had legally given her—going as far as fraudulently altering documents to claim ownership.

This case demonstrates a gross miscarriage of justice that must be reviewed and corrected.

II. Factual Background

1. The Protective Order & _____ False Allegations

- _____ filed for a protective order against me twice in the same year, despite having no history of violence, threats, or harassment on record.
- Contradictory behavior: She falsely portrayed me as a threat while continuing to engage with me voluntarily—sending messages, sharing photos, and discussing personal matters.
- She attempted to publicly humiliate me by revealing intimate details of our past relationship, falsely portraying me as a pervert, despite being a fully willing participant.
- She used my _____ religious beliefs against me, falsely implying that I engaged in witchcraft or dark practices to create a negative bias in court, violating my First Amendment rights.
- She falsely stated that _____ of my ex-girlfriends had protective orders against me, despite knowing that _____ of them (_____) had filed hers out of spite, and that she had actively helped me gather evidence to fight that order.
- During the court hearing, the judge dismissed multiple claims she made, leaving her silent for _____ minutes and _____ seconds, struggling to fabricate another accusation.

2. The Domestic Violence Conviction & Lack of Evidence

- Key "evidence" against me:

- received an anonymous email with no IP address and a sender listed as "at no reply."

- She claimed the writing style was "similar" to mine, but there was no forensic proof connecting me to the message.

- Legal Issues with This Conviction:

- "Similar" is not legal proof. In a criminal case, the standard is "beyond a reasonable doubt."

- No verifiable link between me and the email was ever established.

- Convicting someone based on speculation rather than tangible proof is legally unsound and violates due process.

3. New Evidence of Continued Malicious Prosecution & Fraudulent Activity

- My court-appointed attorney, , informed me that was STILL actively pursuing legal action against me, even after my conviction.

- She made multiple attempts to claim ownership of the handgun I had legally given her, altering documents to try and falsely establish herself as the legal owner.

- PD rejected her request twice, recognizing that she was not the legal owner.

- This demonstrates clear intent to continue legal harassment and fraudulent activity.

4. Legal Representation Issues & Attorney Misconduct

- My first attorney refused to advise me to plead guilty, stating that there was no verifiable proof I had sent the email.

- Suddenly, she was removed from my case and replaced with , who:

- Never spoke with me prior to my court date.

- Did not respond to my emails.

- Failed to argue my case or challenge the fraudulent claims.

- After my conviction, I overheard and the prosecutor laughing about my case in the courthouse lobby:

- said, "

- The prosecutor laughed and responded, "

."

- This proves corruption, lack of integrity, and willful disregard for my constitutional rights.

III. Analysis of Due Process Violations & Legal Misconduct

1. No Evidence Supporting Conviction

- The Fourteenth Amendment guarantees due process, requiring clear and convincing evidence before convicting a person of a crime.

- The Arizona Supreme Court has ruled that speculative evidence cannot be used to establish guilt (*State v. McGann, 1998*).

- Key Failure: The court accepted an anonymous, untraceable email as evidence without forensic verification.

2. Wrongful Conviction for Violating a Nonexistent Court Order

- I was convicted of violating a court order that was never issued or served to me.
- Failure to properly notify me of the alleged order is a direct violation of due process and judicial ethics.

3. Attorney Misconduct & Ineffective Counsel

- Right to Effective Counsel (Sixth Amendment):

- My attorney, _____, failed to provide proper legal defense, including:

- Not communicating with me before the trial.
- Failing to challenge fraudulent evidence.
- Admitting after the trial that I was wrongfully convicted.

- Attorney-Client Privilege Violation:

- _____ discussing my case with the prosecutor in a joking manner is a serious ethical breach.

IV. Requested Legal Actions & Investigations

1. Investigation into Judicial & Prosecutorial Misconduct

- A full review of the judge's decision to accept an anonymous, untraceable email as valid evidence.
- An internal review of the prosecutor's unethical statements and disregard for due process.

2. Investigation into Defense Attorney Misconduct (_____)

- Failure to provide adequate representation.
- Failure to engage with the client before court proceedings.
- Failure to challenge false evidence.

3. Criminal Investigation into _____ for False Reporting & Fraudulent Practices

- False Reporting to Law Enforcement (ARS § 13-2907.01)
- Defamation & Slander (ARS § 12-651)
- Fraudulent Schemes & Practices (ARS § 13-2311)
- Attempted Illegal Firearm Possession by Fraudulent Means

4. Immediate Reversal & Expungement of Conviction

- The wrongful domestic violence conviction must be overturned based on:
 - No physical or documented evidence against me.
 - No verifiable proof I sent the anonymous email.
 - Due process violations and failure to meet the burden of proof.

**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.**