

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-118

Judge:

Complainant:

ORDER

June 10, 2025

The Complainant alleged a superior court judge improperly denied his jurisdictional claims in criminal cases.

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 Choose an item 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 June 10, 2025.

2025 - 118

COMPLAINT AGAINST A JUDGE

Name: on Behalf of 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.

Isaiah 10:1-2
"Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed; To turn aside the needy from judgment, and to take away the right from the poor of my people, that widows may be their prey, and that they may rob the fatherless!"

Maxim of Law: A judge who acts without jurisdiction ceases to be a judge

This complaint is submitted regarding the ongoing judicial misconduct of _____, acting as judge, in the alleged matters involving _____ (Case Numbers: _____ and _____). Despite prior complaints and legal and lawful challenges, _____ continues to preside over these matters while violating fundamental judicial principles, including due process, jurisdictional authority, and ethical responsibilities.

Violations & Misconduct:

1. Denial of a Judicial Notice as Though It Were a Motion

On _____ and _____ issued rulings stating that properly filed Judicial Notices were "rejected" as having "no basis in law or fact." Judicial Notices are not motions; they serve as formal declarations that must be recognized within the court record. By refusing to acknowledge them, _____ acted outside her judicial authority, fabricating a false legal narrative in direct violation of due process.

2. Failure to Address Jurisdictional Challenges

The record has been repeatedly challenged regarding lack of personal and subject matter jurisdiction and capacity to be sued. _____ has refused to address these challenges while continuing to preside over the alleged matters. No evidentiary hearing or legal rebuttal has been provided, demonstrating a disregard for fundamental fairness and an abuse of discretion.

3. Continued Unlawful Presiding Over a Matter Where a Notice of Claim Has Been Filed

A Notice of Claim for Damages was filed against _____ on _____ establishing a conflict of interest. Despite this, she continues to exercise authority over _____ matters, violating principles of impartiality and due process.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Name: on Behalf of 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.

4. Commission's Contradictory and Procedurally Defective Ruling in Order 24-410

On _____, the Commission dismissed a prior complaint (Order _____) on the grounds that it related to "improper rulings in a criminal case." However, this ruling is legally defective for multiple reasons:

The Commission acknowledges its role in reviewing judicial conduct but fails to act when misconduct is clear.

The Commission states it "does not have jurisdiction to overturn or amend a judge's ruling" while simulta

5. Violation of Judicial Oath and Ethical Rules

_____ actions directly violate:

Rule 2.5 (Competence and Diligence): Failure to lawfully review jurisdictional challenges and Judicial Notices.

Rule 3.3 (Candor Toward the Tribunal): Issuing misleading rulings by mischaracterizing a Judicial Notice as a motion and failing to correct falsities on the record.

Rule 8.4 (Misconduct): Continuing to preside despite a pending Notice of Claim and ongoing due process violations.

DEMAND FOR ACTION:

1. Formal investigation into the misconduct of _____
2. Immediate recusal of _____ from these alleged matters due to conflict of interest.
3. Clarification and correction of Order _____ addressing its procedural failures and jurisdictional misclassification.
4. A response addressing these specific allegations within a reasonable timeframe.

Given the Arizona Commission on Judicial Conduct's prior failure to properly address due process violations, this complaint serves as formal notice that continued neglect will be treated as complicity in the deprivation of constitutionally protected rights. Should the Commission fail to act, escalation to the Arizona Supreme Court and federal authorities will follow.

Respectfully Submitted,

On behalf of _____

Enclosures: Rulings, Notice of Claim of Damges

COURT OF ARIZONA
COUNTY

HONORABLE

CLERK OF THE COURT
Deputy

STATE OF ARIZONA

v.

(001)

JUDGE

RULING

The Court is in receipt of Defendant's Judicial Notice to the Court, filed in which Defendant states he is not a person under the law. As Defendant's notice has no basis in law or in fact,

IT IS ORDERED rejecting the notice.

COURT OF ARIZONA
COUNTY

HONORABLE

CLERK OF THE COURT

Deputy

STATE OF ARIZONA

v.

(001)

JUDGE

RULING

The Court is in receipt of Defendant's second filing titled "Judicial Notice to the Court" filed on _____ and a non-party's "Amicus Curiae Brief in Support of the Defendant's Motion to Dismiss for Lack of Capacity to be Sued and Petition for Writ of Habeas Corpus, filed on _____

As these pleadings have no basis in law or in fact,

IT IS ORDERED rejecting the Notice and Amicus Curiae Brief.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Declaration of Independence

NOTICE OF CLAIM AGAINST THE STATE OF ARIZONA

in accordance with Arizona Tort Claims Act - A.R.S. § 12-821.01

Claimant:

Respondents:

County Court
Clerk of Court

Judge

Attorney

Amos 5:24

"But let justice roll on like a river, righteousness like a never-failing stream!"

Maxim: *Equity will not allow a statute to be used as a cloak for fraud.*

Amount Claimed: ()

Accrual of the Claim: The claim accrues from the ongoing tortious actions and omissions that caused the ongoing harm by the County Court, Judge and County Attorney, starting on , when the court rejected Judicial Notices and continued legal actions against , despite admissible evidence showing he was acting in his private capacity. The harm continues to accrue due to the court's actions and the resulting life-threatening health consequences for Aaron.

Factual Basis:

The County Court, through acting as Judge and acting as Prosecutor, presumes that is a "legal entity"¹, "resident"², "defendant"³, or "person"⁴ within the "State"⁵, engaged in commerce while on State Business at the time of the alleged offenses in case numbers (). However, and the relator, for have filed multiple written Judicial Notices⁶ rebutting the court's presumptions, starting on . These notices clearly state that is a private man acting in his private capacity at the time of the alleged offenses and has never given his express written consent to be sued. Despite receiving sufficient documentary evidence from both the relator and , who have firsthand knowledge of the facts of the record, the court continues to presume that is a legal entity, defendant, resident, or person engaged in commerce without any documentary evidence or testimony from competent witnesses to prove otherwise. The court has failed to address the incomplete record or rebut the claims brought forth in the Judicial Notices of the falsity and forgery on the record, instead continuing with actions that exhibit dishonesty, fraud, deceit, and misrepresentation.

**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.**