

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-169

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Judge:

Complainant:

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**ORDER**

August 15, 2025

The Complainant alleged a justice of the peace willfully ignored the law in ordering attorney's fees in a protective order 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 member Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 15, 2025.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2025 - 169**

**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.

See attached complaint and exhibits

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Arizona Commission on Judicial Conduct

1501 W Washington St. Suite 229

Phoenix, AZ 85007

Dear Commissioners:

My name is \_\_\_\_\_, and I would like to file a formal complaint against Judge \_\_\_\_\_.

In \_\_\_\_\_ of \_\_\_\_\_, Judge \_\_\_\_\_ violated ARS 13-2921A4, ARS 25-324B, Rule 1.1, 1.2, 2.2(2), and 2.3(a), of the Arizona Code of Judicial Conduct, by awarding attorney fees on an Injunction Against Harassment Case No. \_\_\_\_\_, inevitably stating that I (as the Plaintiff) did not file the injunction with merit, meaning in Good Faith, Grounded in Fact, or was used with Improper Purpose, such as to harass the other party.

However, in my response to Defendant's Motion for Attorney Fees and Costs Incurred, my lawyer clearly laid out that the Defendant's claim for Rule 39 did not apply, as it violated ARS 25-324.

**Good Faith:**

As any reasonable person would, I felt harassed by the Defendant when she sent me multiple text messages threatening to go to my work, then actually complained to my work about an issue that had nothing to do with my job. Judge \_\_\_\_\_ did agree that this was in fact harassment.

The day after my employer told the defendant, her complaint had no evidence to support her claim and it had nothing to do with my job. The Defendant then filed an official criminal police report with the City of \_\_\_\_\_ Police Department, which was false (as she changes her statement multiple times within the report)

According to ARS 13-2921A4, one *who makes a false report to a law enforcement, credit or social service agency against another person*, is considered harassment.

However, during the hearing on \_\_\_\_\_, Judge \_\_\_\_\_ stated, " \_\_\_\_\_", therefore, breaking Rule 1.1 and 2.2 (2) of Arizona Code of Judicial Conduct and not adhering to Arizona Revised Statutes. (Pull audio recording from hearing)

Any reasonable person would continue to feel harassed and seek some type of relief, as I did when applying for the Injunction Against Harassment in \_\_\_\_\_ of \_\_\_\_\_, per ARS 12-1809A. My job also advised me to seek an Injunction Against Harassment since the people the defendant was communicating with began threatening me and the defendant had already gone to my employer once before.

**Grounded in Fact:**

My entire submission of evidence to the court for the hearing contained factual evidence from official police reports, to copies of emails from my employer stating what the Defendant had done, text messages, slandering social media posts, including the threats from others to private messages made to me by random people who are friends with the Defendant, specifically naming the Defendant. Nothing I submitted was untrue. (See Documents provided for case)

**Improper Purpose:**

There was never any wrongdoing on my part, I had ample evidence to back up all my claims. However, Judge \_\_\_\_\_ agreed the defendant did in fact commit " \_\_\_\_\_ " by going to my work to file a complaint.

All the hard evidence I submitted was overlooked and ignored by Judge \_\_\_\_\_ when he quashed the injunction and awarded attorney fees to the Defendant. This breaks Rules 1.1, 1.2, and 2.3 (A) of the Arizona Code of Judicial Conduct.

Given these three elements, Good Faith, Grounded in Facts and Improper Purpose, Judge \_\_\_\_\_ acted with **Willful Misconduct** and violated ARS 25-324 (B) & ARS 13-2921 (A)4 by awarding attorney fees to the Defendant for this Injunction Against Harassment case.

*According to Ariz. R. Prot. Ord. Proc. 39, "In determining whether to award costs or attorney fees, the judicial officer may consider:(1) the merits of the claim or the defense asserted by the unsuccessful party;(2) whether the award will pose an extreme hardship on the unsuccessful party; and (3) whether the award may deter others from making valid claims."*

Judge \_\_\_\_\_ ignored these considerations for deciding the awarding of attorney fees. The Defendant violated ARS 13-2921 two times when the Defendant contacted my place of employment to make false claims and a false police report against me. Thus, I had ample merit for seeking an Injunction Against Harassment especially considering the Defendant continued to harass me by "Contact[ing] or cause[ing] a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means." (Evidence for these harassing communications was submitted with my original petition.) Any reasonable person would feel harassed and seek some type of relief.

In addition, by granting the Defendant attorney fees (who admitted to committing crimes), Judge \_\_\_\_\_ has given a detrimental blow to anyone in the future who (like me) has not done anything wrong and is just seeking a legal way to protect themselves.

How can any reasonable person, even if they have one acknowledged and confirmed form of harassment (admitted by the Judge), file an Injunction Against Harassment if they are going to be ordered to pay \_\_\_\_\_ in attorney fees to the Defendant, as I was ordered to do so?

This will greatly deter others from making valid claims who are also attempting to seek relief.

**Rule 11.3 B(3)**

In the Motion for Attorney Fees and Costs Incurred, the Defendant's Attorney blatantly violated Ariz. R. Civ. P. Rule 11.3 B(3) by not having any factual evidence to support their claim for granting attorney fees. No factual evidence was ever submitted to support the defendant's attorney's claim that my Injunction Against Harassment was a groundless petition or lacked merit.

Judge \_\_\_\_\_ should have dismissed the Motion for Attorney Fees and Costs Incurred due to the fact this rule was not followed. This conduct brings the judiciary into disrepute.

See MOTION FOR ATTORNEY FEES AND COSTS INCURRED document for the case

## -Misconduct

Judge [redacted] continued to act with Willful Misconduct when he ignored that the Defendant's Lawyer violated Just. Ct. R. Civ. Proc. 120, when he submitted a Motion for Attorney Fees and Costs Incurred without sending that motion to either me or my attorney. Judge [redacted] was aware of this as it stated in "PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR ATTORNEY FEES AND COSTS INCURRED" See Exhibit A.

My attorney also brought to Judge [redacted]' attention that the Defendant's Lawyer's motion was " [redacted] " because it " [redacted] ."  
[redacted] See EXHIBIT A.

No evidence from the Defendant's Attorney was supplied or requested by Judge [redacted] to support the Defendant's monetary claims.

The [redacted] Justice Court, where Judge [redacted] presides, states at the bottom of its emails, which are sent to attorneys, "If a pleading is mailed to the court, a copy must also be sent to the opposing party." However, Judge [redacted] ignored the fact that the Defendant's Attorney failed to do so. See EXHIBIT B

This violates Rule 2.15 (B) of the Arizona Code of Judicial Conduct, which states "A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority."

And 2.15(D) "A judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action."

Judge [redacted] clearly violated this rule of Arizona Judicial Conduct.

See Exhibit A where my attorney brought this to his attention.

In addition, in my response to Defendant's Motion for Attorney's Fees and Costs Incurred (which I had to use a lawyer to help draft and send to the court), case laws were cited: *Takiah v. O'Meara*, 252 Ariz. 51, 50, 497 P.3d 1000 (App. Div. 1 2021) stating that "a claim is groundless, for purposes of awarding attorney fees, if the proponent is unable to present any rational argument, based on law or evidence, supporting the claim." The Defendant did not support their argument with any fact, evidence or case law; they only claimed that a police report is not considered harassment, which goes against ARS 13-2921A4. See EXHIBIT C.

Their whole claim in the Motion for Attorney's Fees and Costs Incurred was Rule 39, basically claiming that because I " [redacted] " I owed them attorney fees.

Also, it was brought to Judge [redacted] attention that "' [redacted] " and "' [redacted] " are equivalent terms for purposes of assessing attorney fees and expenses against a party who groundlessly or frivolously brings or defends a claim, and a claim is "' [redacted] " if the proponent can present no rational argument based upon evidence or law in support of that claim or defense. *Rogone v. Correia*, 236 Ariz. 43, 335 P.3d 1122 (App. Div. 1 2014)." The Defendant's argument for Attorney Fees was " [redacted] " and " [redacted] "

**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.**