

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-374

Judge:

Complainant:

ORDER

October 10, 2025

The Complainant alleged a superior court judge had no jurisdiction to impose a child support obligation.

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 Regina L. Nassen, Scott H. O'Connor, and Christopher P. Staring considered this matter.

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

ARIZONA

COURT

COUNTY

IN RE THE MATTER OF:

,
Petitioner,

vs.

,
,
,
Assistant Attorney General
COMMISSIONER

Respondent,

Case No.:
No:

**CRIMINAL COMPLAINT &
CONSTITUTIONAL CHALLENGE**

CRIMINAL COMPLAINT & CONSTITUTIONAL CHALLENGE

I. INTRODUCTION

Now comes _____, a natural man and lawful father, appearing *in propria persona* and **not pro se**, to submit this **Criminal Complaint and Constitutional Challenge**. This complaint concerns misconduct and violations of constitutionally protected rights committed **under color of law** by **Commissioner** _____ in her administrative capacity overseeing **Case No.** _____ **Atlas No:** _____.

II. ALLEGATION OF PERJURY

I, _____, a private citizen and complainant, hereby allege that **Commissioner** _____, while acting under oath in her official capacity as a judicial officer, **knowingly and willfully made materially false statements in her order under oath** on or about _____, in violation of **Arizona Revised Statutes § 13-2702**, constituting **perjury**.

REBUTTAL OF PRESUMPTIONS AND DEMAND FOR EVIDENCE

I, _____, hereby notify this Court that I formally **rebut all presumptions** being applied to me without substantiating evidence. Specifically, I challenge the use of the term "**obligor**", which is defined as *a person who binds himself to another by contract*. As such, the burden rests upon this Title IV-D Court to produce **clear and convincing evidence** demonstrating that I, a natural man, knowingly and voluntarily entered into a **lawful, binding contract** to pay child support through any state-operated child support collection service.

Absent such proof of consent or contractual obligation, the designation of "obligor" is **presumptive, unsubstantiated, and legally improper**. Therefore, I demand that all such terms and classifications be **removed from the record** unless the Court can provide admissible evidence to justify their application.

Furthermore, I assert that I have **not been afforded due process or equal protection of the law** as guaranteed under the **Fourteenth Amendment**. The administrative application of child support terminology, without proof or proper procedure, wrongly implies guilt and creates a **false debt narrative**, including but not limited to claims that I received a Title IV-A public assistance loan that must now be repaid to a Title IV-D state agency through income deduction or punitive enforcement actions, such as license suspension or incarceration.

Such presumptions—unsupported by evidence or due process—are constitutionally defective and must be **immediately rescinded and stricken from all court records**.

This complaint further challenges the legitimacy of the proceedings, the jurisdiction of the Commissioner, and the deprivation of protected rights without due process or lawful authority.

III. STATEMENT OF FACTS

1. Commissioner _____ presided over the matter between _____ **(Father)** and _____ **(Mother)** regarding child support under **Case No.** _____ . **Atlas No:** _____

2. The proceedings were **administrative under Title IV-D** and lacked the jurisdiction of an Article III judicial tribunal.
3. Despite this, the Commissioner exercised **judicial powers**, including altering orders and issuing mandates **without valid jurisdiction or due process**.
4. The Commissioner failed to declare on the record any lawful authority or jurisdiction as required under due process protections of the **Fifth and Fourteenth Amendments** to the United States Constitution.
5. Complainant was treated as a Title IV-D "obligor" by **presumption**, absent any contract or full disclosure, violating liberty, property, and parental rights.
6. On _____, during sworn proceedings, **Commissioner falsely stated that Father had testified**, despite having him **muted and unable to speak**.
7. The false statement was **material**, knowingly made, and inconsistent with the facts known or previously acknowledged by the Commissioner.
8. The Commissioner exercised **judicial powers**—including altering prior orders—**without jurisdiction**.
9. This conduct constitutes **perjury**, pursuant to **A.R.S. § 13-2702**:

"A person commits perjury by making a false sworn statement in regard to a material issue, believing it to be false."

Supporting Case Law:

In *In re Green*, 877 N.W.2d 867 (Mich. 2016), a judge who provided false sworn testimony was found to have committed judicial misconduct warranting disciplinary action.

IV. LEGAL COUNTS

Count I – Deprivation of Rights Under Color of Law

18 U.S.C. § 242

Commissioner _____ deprived _____ of liberty, parental rights, property, and due process under the Constitution, while acting outside lawful authority.

"No man in this country is so high that he is above the law." — *U.S. v. Lee*, 106 U.S. 196 (1882)

Count II – Conspiracy to Interfere with Civil Rights

18 U.S.C. § 241

Commissioner colluded with state actors to enforce child support without proving jurisdiction, thus conspiring to infringe upon protected rights.

Count III – Denial of Due Process and Jurisdiction

U.S. Const. Amend. V & XIV; *Butz v. Economou*, 438 U.S. 478 (1978)

Administrative proceedings were treated as judicial without consent, standing, or authority—violating fundamental due process protections.

Count IV – Violation of Separation of Powers

Holmberg v. Holmberg, 588 N.W.2d 720 (Minn. 1999)

Commissioner’s actions blurred the lines between executive (administrative) and judicial authority by modifying judicial orders without lawful basis.

Count V – Trespass on Privacy and Autonomy

Commissioner imposed obligations via administrative coercion without verified contract, fiscal injury, or proper notice, violating autonomy and privacy protected by the Constitution and federal law.

V. LEGAL AUTHORITIES & PRECEDENT

- *Butz v. Economou*, 438 U.S. 478 (1978) — Officials are not immune from constitutional violations.
- *U.S. v. Sage*, 92 F.3d 101 (2d Cir. 1996) — Clarifies child support as commercial contracts, not criminal matters.
- *Holmberg v. Holmberg*, 588 N.W.2d 720 (Minn. 1999) — Declares administrative overreach unconstitutional.
- *Carelli v. Howser*, No. 90-3340 (6th Cir. 1990) — Title IV-D intended to benefit the State, not private parties.
- *Michael Taylor v. Robert Riojas* (9th Cir. 2020) — Advocacy against qualified immunity for officials.
- *Blessing v. Freestone*, 520 U.S. 329 (1997) — Title IV-D does not confer private enforcement rights.

- U.S. Const. Amend. I, IV, V, IX, X — Asserting liberty, privacy, and jurisdictional limits.
 - **42 U.S.C. §§ 1983, 1985** — For violations of civil rights under color of law.
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VI. DEMAND FOR RELIEF

The Complainant hereby demands:

1. A formal declaration of lawful jurisdiction, duty, and authority from Commissioner
;
 2. Immediate **cessation of all proceedings** that violate due process and liberty rights;
 3. **Dismissal of all administrative orders** entered without verified jurisdiction; and **Close this case.**
 4. **Referral for criminal investigation** under 18 U.S.C. §§ 241 and 242;
 5. **Compensatory and punitive damages**, if legally justified;
 6. Any other equitable or legal remedy the Court or investigative authority deems appropriate.
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VII. RESERVATION OF RIGHTS

Pursuant to **UCC § 1-308**, I, _____, expressly reserve all rights, remedies, and immunities. No silence or inaction shall constitute a waiver or consent to any administrative or judicial presumption.

VIII. RELIEF REQUESTED

Accordingly, I respectfully request that the appropriate authorities:

- Open a formal investigation into the Commissioner's conduct and sworn statements;
 - Pursue criminal charges where probable cause for perjury or civil rights violations exists;
 - Take appropriate measures to protect the integrity of the legal process.
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Respectfully submitted,

By: /s/

**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.**