

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-551

Judge: David Thorn

Complainant: Ewan Cordice

ORDER

The Complainant alleged a superior court judge was biased, had a conflict of interest, and failed to follow the law in a civil case.

Judge David Thorn, Cochise County Superior Court, conducted a contested protective order hearing on October 27, 2025. The hearing was not conducted in an organized manner, including that Judge Thorn did not swear the parties in, did not have the plaintiff testify as to the allegations in the petition, and did not afford defendant the opportunity to cross-examine plaintiff or present evidence on defendant's own behalf. Additionally, Judge Thorn made factual findings without taking any testimony under oath. Judge Thorn did not follow Rule 38 of the Arizona Rules of Protective Order Procedure, but instead stated that he had already been convinced of the truth of the plaintiff's allegations before the hearing began based solely on the petition filed because it had been attested to.

In his response, Judge Thorn acknowledged that, "After listening to the recording of the proceedings [he] should have done it differently." Judge Thorn justified the absence of cross-examination by defendant by stating that defendant "never asked for a witness to testify, he never asked to testify, and he did not ask the plaintiff to testify."

The Commission found that Judge Thron's conduct during the contested protective order hearing violated the following provisions of the Code of Judicial Conduct:

- Rule 1.1 which states, "A judge shall comply with the law, including the Code of Judicial Conduct."
- Rule 1.2 which states, "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."

- Rule 2.2 which states, “A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.”
- Rule 2.6(A) which states “A judge shall accord to every person who has a legal interest in a proceeding, or that person’s lawyer, the right to be heard according to law.”

The Commission found no clear and convincing evidence to support the remaining allegations of the complaint, including an allegation of a conflict of interest due to Judge Thorn presiding over the initial ex-parte hearing for a protective order and subsequently the contested hearing. Because it is standard procedure for judges to conduct both ex-parte and contested protective hearings involving the same litigants, the Commission found no evidence of a Code violation regarding this allegation.

Accordingly, Cochise County Superior Court Judge David Thorn is hereby publicly reprimanded for the conduct described above and pursuant to Commission Rule 17(a). The record in this case, consisting of the complaint, the judicial officer’s response, and this order shall be made public as required by Commission Rule 9(a).

Dated: June 9, 2026

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on June 9, 2026.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2025-551****COMPLAINT AGAINST A JUDGE****Name:** CORDICE, EWAN**Judge's Name:** THORN, DAVID

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.

I am writing to formally lodge a complaint against Superior Court Judge David Thorn, who presided over the case involving an Order of Protection he issued against me on October 15, 2025.

The hearing to challenge the order of protection was held on October 27, 2025.

I believe the judge demonstrated clear bias and failed to uphold the standards of judicial impartiality and due process in the following ways:

1. Denial of a Fair Opportunity to Present a Defense:

The proceedings commenced with the judge addressing the plaintiff and stating that he had already formed an opinion based on a prior video call with the plaintiff, which occurred before the scheduled court appearance. I was neither informed of this communication nor given any opportunity to know what was discussed during that exchange.

During the proceedings, I was not permitted to present a full and proper defense. The judge repeatedly curtailed my ability to introduce relevant evidence and testimony that directly challenged the allegations against me. Instead, he repeatedly sided with the plaintiff.

These restrictions severely undermined my ability to defend myself and violated my right to a fair hearing.

2. Conflict of Interest in Overseeing the Challenge to His Own Order:

Judge Thorn, the same judge who issued the original Order of Protection, was assigned to oversee my subsequent challenge to that order. This dual role raises serious concerns about impartiality and fairness. A judge cannot objectively review the validity of an order they themselves issued, especially when the challenge involves factual disputes and credibility assessments. This situation created an inherent conflict of interest and eroded confidence in the integrity of the judicial process.

I respectfully request that this matter be investigated and that appropriate action be taken to ensure accountability and uphold the principles of judicial fairness.

Present in the courtroom were: Judge Thorn, me, the plaintiff, the judge's clerk, and the bailiff.

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

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Name: **CORDICE, EWAN**

Judge's Name: **THORN, DAVID**

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.

David Thorn
Presiding Judge
Division III



P.O. Drawer CJ
Bisbee, Arizona 85603

**Superior Court
Cochise County**

Resp (Thorn)

MAR 09 2026

2025-551

February 27, 2026

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

RE: Case 25-551

Dear Commission Members,

I received a complaint recently regarding a protective order I issued back in October. I have included the Petition and the request for a hearing as well as a recording of the hearing on the Defendant's Motion to Dismiss in this response. According to the Petition, Mr. Cordice admitted to the Plaintiff that he gained access to her electronic devices and cancelled travel arrangements for her surreptitiously. He admitted to contacting the Plaintiff after she asked him to stop. As I explained to him during the hearing, I found that those acts constituted harassment and because the parties had an intimate relationship that the harassment fell under the umbrella of domestic violence.

Ms. Mann's letter requesting a response to the complaint asks me to explain "why you did not follow the procedures set forth in Rule 38, Arizona Rules of Protective Procedure, which includes having the Plaintiff testify and meet the required burden of proof." After listening to the recording of the proceedings I should have done it differently. I should have sworn in Ms. Metcalf and at least asked her to attest to the statements contained in her original Petition. Mr. Cordice could have cross examined her about the contents of the Petition.

In sum Ms. Metcalf provided the court with a detailed summary of events which occurred in September and October 2025. That sworn summary was made under penalty of perjury. Part of that sworn statement was that Mr. Cordice admitted he had been electronically stalking Ms. Metcalf since she ended their relationship. In his request for a hearing, Mr. Cordice did not deny the events occurred, he stated that he did not break into her house while she was away and place some chemical agent into her shampoo bottle. I made a specific finding that there was insufficient proof to show that he did but that the other events to which he admitted constituted harassment.

In order to obtain an *ex parte* Order of Protection the Plaintiff must show reasonable grounds to believe the elements are met. At a contested hearing the burden is raised to a preponderance of the evidence. Frankly, I believed that Ms. Metcalf's Petition showed clear and convincing evidence that an Order of Protection was warranted. Again, Mr. Cordice never asked

for a witness to testify, he never asked to testify, and he did not ask the Plaintiff to testify. He never asked the court to consider any exonerating exhibits.

Finally, to address Mr. Cordice's complaint that this was a conflict of interest, I'm not sure what to say. I was the judge who issued the Protective Order. When a request for hearing is made, the same judge who issued the Order typically handles the hearing on the Defendant's Motion to Dismiss. If the Defendant has evidence that the Plaintiff is being untruthful, or exaggerating, or other otherwise misleading the court, that is the time to admit such evidence.

Judicial Ethics Rule 2.2 commands a judge to perform all duties of judicial office fairly and impartially. I can see how Mr. Cordice believed that I was not impartial when I told him that "she doesn't want to see you anymore" during the hearing before providing him with an opportunity to cross examine Ms. Metcalf. I did, however, make reasonable accommodation to ensure that Mr. Cordice had the opportunity to have the matter heard fairly which is consistent with comment 4 to Rule 2.2.

In any event, I am sure the members of the Commission will consider Mr. Cordice's complaint, this Answer, the recording of the hearing, and the enclosed exhibits and render a just decision. Please do not hesitate to contact me if I can provide you with any addition information.

Sincerely,

David Thorn
Presiding Judge
Superior Court of Arizona in and for Cochise County.

COCHISE SIERRA VISTA COURT
100 Colonia de Salud, Sierra Vista, AZ 85635

Plaintiff ☐ Employer-Plaintiff if Workplace Injunction SEANTE METCALF	Defendant EWAN CORDICE	Case No: S0200PO202500324
☐ On behalf of minor/person in need of Protection named	Defendant's address 	PETITION for: ☒ Order of Protection ☐ Injunction Against Harassment ☐ Workplace Injunction
Agent's name (if Workplace Injunction)	Defendant's Phone 	

This is NOT a Court Order
This petition contains Plaintiff's allegations and requests. To see what the Court has ordered,
see "Order" form

DIRECTIONS: Please read the Plaintiff's Guide Sheet before filling out this form.

1. Defendant/Plaintiff Relationship (or relationship between Defendant and minor/person in need of protection)

- | | |
|---|--|
| ☐ Married (past or present) | ☐ Related as parent, grandparent, child, grandchild, brother, sister (or in-law/step) |
| ☐ Live/lived together as intimate partners | ☐ Live/lived together but not as intimate partners |
| ☒ Romantic/sexual (past or present) | ☐ Dating (but not romantic or sexual) |
| ☐ Parent of a child in common | ☐ Other: |
| ☐ One party is pregnant by the other | |

2. ☐ Defendant and I have a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time, or support in (County/Superior Court), Case # .

3. Name of court, if any, in which any other protective order related to this conduct has been filed.
Court name - Case #

(Continue to next page)

4. Tell the judge what happened and why you need this order. PRINT both the dates and a brief description of what happened. If there is a contested hearing, a judge can consider only what you write here.

NOTE: Defendant will receive a copy of this petition when the order is served.

(Do not write on back or in the margin. Attach additional paper if necessary.)

09/19/2025 Ewan and I had been dating briefly from Feb 2025- mid August 2025. Ewan wanted more of a serious relationship than I was ready for at this time. I decided it was best for us to end any romantic relationship, but Ewan insisted we stay in contact. On the date of the incident I was head out of town to visit a friend in San Diego. Ewan was unaware of the details of my trip or where I was traveling to. Once he became aware he some how gained access to my text messages, email and flight information. Ewan admitted he canceled my flight and contacted my husband (currently separated) to make him aware of my vacation. Ewan used a spoof app to hide his number and spoke to my husband multiple times for hours at a time to provide intimate details of the relationship Ewan and I had. Ewan initially denied doing this, but later admitted it.

09/25/2025 I was working out at planet fitness. I had not been in contact with Ewan in several days or let him know of any plans. Ewan approached me in the gym and asked me to come outside so he could give me some things he had of mine and retrieve his garage door opener. I asked how he knew I was there and why this couldnt wait. He did not respond and was visibly upset. The items were exchanged. I learned that Ewan was the person who had provided the information to my husband (separated). A few days later. Ewan upset that he was blocked, decided to show up at my home. I asked him to leave multiple times. He insisted we needed to talk. I let him in to talk which took place for two hours. Ewan denied gaining access to my information or calling my husband. He became very agitated and told me you think you can treat people any way you want and get away with it. He also stated karma will get you. I asked him to leave again, not call me, nor try to contact me in any way. He stormed out the door. Only to return 30 mins later to attempt to apologize and tell me he canceled his gym membership since we attended the same gym.

10/06/2025 Ewan had made multiple attempts to reach me via WhatsApp and call No caller ID on the days leading up to the incident. I again asked him not to contact me. I went to the dollar tree store to purchase some items. I happens to walk down an aisle and see Ewan. I turned to head the opposite direction. Ewan followed me caking my name. I stopped and told him we had nothing to discuss. He asked why and I told him I knew he was the person who stole my information and contacted my husband. He eventually admitted he had done it. He then explained that he met me at a rough time in his life so maybe he came on to strong. I told him I still did not want anything to do with him and did not want him to contact me. Ewan asked me to unblock him and I said no I didnt feel comfortable with that. He put down the items he had in his hand and exited the store.

10/13/2025 I returned home from a trip out of town with friends. Ewan was aware of this trip because it had been planned since May. I went to my bathroom to take a shower and noticed that a soap dish that Ewan has helped me repair was laying on the tub broken. I also noticed a weird chemical odor. I proceeded to get in the shower . When I attempted to use the body wash it had a watery consistency and odd/ chemical odor. I was pretty sure it was hair removal cream. I decided to check the condo for any other evidence of someone entering my home. I noticed the lamp shade on the desk in the spare bedroom was upside down. The desk sits infront of a window that is partially open. I checked the window and I could tell the screen was removed. The desk had also been moved. I contacted the police to file a report.

Report number: a25-30305

5. The following persons should also be on this order. They should be protected because Defendant is a danger to them:

6. Defendant should be ordered to stay away from these locations at all times, even when I am not present.

NOTE: Do not list confidential addresses here.

☒ Residence

☐ Work

☐ School/Other

7. a. ☒ Defendant owns or carries a firearm or other weapons.
b. ☐ Defendant should be ordered NOT to possess firearms or ammunition while this order is in effect because of the risk of harm to me or other protected persons.
8. ☐ Defendant should be ordered to stay away from any animal that is owned, possessed, leased, kept or held by me, Defendant, or a minor child living in either my household or Defendant's household.
9. Other Requests:

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge. I request an order or an injunction granting relief as allowed by law.

/s/

SEANTE METCALF

Plaintiff

Attest: /s/

RMATHIS

Judicial

Officer/Clerk/Notary

10/15/2025

Date

FILED

OCT 16 2025

AMY J HUNLEY
CLERK OF SUPERIOR COURT
BY:

All Courts in Arizona/NCIC#/DPS#	Address	City, Arizona Zip Code	Telephone Number
SEANTE METCALF Plaintiff	50200 0202500324 Case No.		
v.			
EWAN LORDECH Defendant			

REQUEST:

☐ Hearing ☒ Modify Order
☐ Cancel Hearing ☐ Dismiss Order
☐ Continue Hearing

OP/IAH/IAWH Issue Date: 10/15/2025

☒ **Defendant.** I am the Defendant, and I am asking the court:

- ☒ for a hearing to contest all or part of the protective order. See **Note to Defendant** →
☐ to cancel the hearing I previously asked for in this case.
☐ to continue the hearing scheduled on ____/____/____ (date).

Address ▶ _____

Phone ▶ _____

Email ▶ _____

NOTE TO DEFENDANT: Under federal law, certain conditions can cause you to be prohibited from possessing firearms while an Order of Protection is in effect. The conditions are:

- (1) You and the plaintiff are married to each other (past or present), live together as intimate partners (past or present), or are parents of a child in common, and
 (2) there is a hearing of which you received actual notice, at which you had an opportunity to participate (even if you fail to attend), and the Order of Protection is affirmed or modified at the hearing.

If you have questions about hearings and state and federal firearms prohibitions, you should contact an attorney. The court cannot give you legal advice.

☐ **Plaintiff.** I am the Plaintiff, and I am asking the court:

- ☐ to modify (change) my protective order.
☐ to dismiss my protective order.
☐ to cancel the hearing set prior to issuance of this protective order.
☐ to continue the hearing scheduled on ____/____/____ (date).

Defendant or Plaintiff, list the reasons for your request or what you would like the court to modify.

I pose no danger to the plaintiff and agreed to no contact after our conversation in the Olive Tree. I did not gain unlawful access to the defendant's place of residence.

10/16/2025
Date

Requesting Person's Signature

☐ **Interpreter Services.** I need interpreter services for _____

Language

For court use: CERTIFICATE OF TRANSMITTAL

Copy ☐ mailed ☐ emailed ☐ provided personally to Plaintiff on ____/____/____ by _____
 Copy ☐ mailed ☐ emailed ☐ provided personally to Defendant on ____/____/____ by _____

Resp Attach 1

MAR 09 2026

2025-551

