

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-642

Judge: John S. Perlman

Complainant: Commission on Judicial Conduct

ORDER

The Commission alleged a municipal court judge (now retired) invoked his judicial status when police arrived to investigate an assault.

Pursuant to an appellate court special action ruling in *Hamlet v. State of Arizona*, 2 CA-SA 2025-0062, the Commission initiated a complaint regarding the facts in this case.

In the Court of Appeals opinion, in the Factual and Legal Background Section, it states that Judge Perlman and Hamlet both kept horses in a stable where Hamlet also worked as a stable hand. Judge Perlman confronted Hamlet about stealing his hay to feed Hamlet's animals. A physical fight ensued, and Judge Perlman's daughter intervened. Hamlet alleged injuries to his throat and skull, while Judge Perlman alleged a fractured arm. Judge Perlman reported that he had a camera installed in the stalls to monitor the hay. Police did not collect the video on the date of the incident. About a month later, Judge Perlman delivered a video which started midway through the altercation and showed about 15 seconds of the fight. This video was accepted without question by the police.

During the investigation, the police body cam footage showed Judge Perlman, before the citation was issued to Hamlet, telling a sheriff's deputy he was a local judge and then stating, with a chuckle: "Brad will want to do something with [the allegations] because it's me." Brad was a reference to the elected Gila County Attorney Brad Beauchamp. This was viewed as an effort by Judge Perlman to invoke his authority at a time when the police on scene were trying to determine who should be arrested for the altercation.

In his response to the complaint, Judge Perlman described the events leading up to the altercation. He indicated that during the fight, Judge Perlman felt an episode of shock coming on. He indicated that he was the victim in the fight. His response did not seem to make it clear whether he grasped the issue that was before the Commission. Judge Perlman even suggested that his informing the officer that he is a judge was helpful so that the County Attorney could have considered whether

to conflict off the matter. He also stated that he and the County Attorney are friends. Therefore, the County Attorney was “aware of (his) character and credibility.”

Judge Perlman also informed the Commission that this fight created a great deal of conflict anxiety for himself and caused him to retire from the bench.

Judge Perlman admitted that, in hindsight, he should not have mentioned his position to the officers at the time. He concluded that he would respectfully accept whatever punishment the Commission deemed appropriate in the circumstances.

The Commission found Judge Perlman’s conduct violated Rule 1.3 of the Code of Judicial Conduct, which states, “A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.”

Accordingly, Globe Municipal Court Judge John S. Perlman 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).

Commission member Christopher P. Staring did not participate in the consideration of this matter.

Dated: June 1, 2026

FOR THE COMMISSION

/s/ Joseph C. Kreamer

Hon. Joseph C. Kreamer

Commission Vice-chair

Copies of this order were distributed to all appropriate persons on June 1, 2026.

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

Comp
12/18/25
25-642

VERDELL CARMEN HAMLET,
Petitioner,

v.

STATE OF ARIZONA,
Respondent.

No. 2 CA-SA 2025-0062
Filed December 9, 2025

Special Action Proceeding
Gila County Cause No. CR202400412
The Honorable Michael D. Peterson, Judge

JURISDICTION ACCEPTED; RELIEF GRANTED

COUNSEL

Adams & Associates PLC, Phoenix
By Chase T. Wortham and Ashley D. Adams

and

Law Office of Randal B. McDonald, Phoenix
By Randal McDonald
Counsel for Petitioner

Bradley D. Beauchamp, Gila County Attorney
By Joseph E. Collins, Chief Deputy County Attorney, Globe
Counsel for Respondent

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OPINION

Judge Eckerstrom authored the opinion of the Court, in which Presiding Judge Brearcliffe and Chief Judge Staring concurred.

ECKERSTROM, Judge:

¶1 In this special-action proceeding, petitioner Verdell Hamlet challenges the superior court’s denial of his motion to vicariously disqualify the Gila County Attorney’s Office (GCAO) from continued prosecution of his criminal case. He argues the GCAO must be disqualified based primarily on the appearance of impropriety – the fourth factor under *Gomez v. Superior Court*, 149 Ariz. 223 (1986). Because we agree that the court improperly applied the law of vicarious disqualification to the facts of this case, we accept special-action jurisdiction and grant relief.

Factual and Procedural Background

¶2 In September 2023, Hamlet and John Perlman – then a city magistrate in Globe, which is situated in Gila County – both kept horses in a stable where Hamlet also worked as a stable hand. As part of his duties, Hamlet sometimes fed hay to the stabled animals, including Perlman’s horses. On September 26, Perlman confronted Hamlet with his suspicion that Hamlet had been stealing hay. A physical fight ensued, and Perlman’s daughter intervened. Eventually, Hamlet retreated to his truck and called the sheriff’s office. Hamlet, an 85-year-old man, allegedly suffered injuries to his skull and throat, the latter of which required a medical procedure. Perlman alleged that his arm had been fractured.

¶3 Perlman had previously installed video cameras to monitor his hay. At least one of those cameras captured the altercation. Although Perlman informed officers at the scene that he had been recording video footage of the barn’s interior, they did not collect, and Perlman did not provide, any video evidence on the day of the incident. About a month after the incident, Perlman personally delivered the footage to the GCAO’s office. The detective – an employee of the GCAO who testified to knowing Perlman professionally – accepted the evidence without questioning the delay in its submission or whether it had been edited or otherwise altered. The footage does not begin until midway through the altercation and shows only about fifteen seconds of the fight. It does not show the argument or events leading up to the physical fight and therefore does not provide

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clarity as to which of the combatants was the aggressor. It also omits the events leading to Hamlet's throat injury, cutting out once both men had fallen to the ground outside the camera's field of vision.

¶4 Law enforcement body cam footage captured the investigating officer equivocating about who to charge. He specifically noted that he had "two conflicting stories," that the only other witness beyond the combatants was Perlman's daughter, and that he had collected no definitive evidence as to who had been the initial aggressor. For reasons that are unclear in the record, the officers ultimately cited Hamlet. Neither Perlman nor his daughter were cited. Body cam footage shows Perlman, before the citation was issued to Hamlet, telling a sheriff's deputy he was a local judge and then stating, with a chuckle: "Brad will want to do something with [the allegations] because it's me."

¶5 Bradley Beauchamp is the Gila County Attorney. As such, he "is responsible for everything that occurs in" the GCAO, according to a November 2024 letter the GCAO sent to Hamlet's counsel declining to disqualify itself from the matter. This includes exercising the authority to determine whether, and against whom, to bring criminal charges. Beauchamp explained at the disqualification hearing that the GCAO's head of the criminal division, Chief Deputy Collins, was overseeing Hamlet's case, while a third deputy county attorney based in Payson, was directly assigned to the case. Although the GCAO initially pursued only a misdemeanor assault charge against Hamlet, it later formally charged him with committing aggravated assault, a felony offense. After the lodging of the felony charges, the presiding judge of Gila County Superior Court concluded that the matter presented a conflict of interest for all judges in Gila County and reassigned the matter to a judge from another county.

¶6 In February 2025, Hamlet filed the underlying motion to disqualify the GCAO, arguing the personal relationship between Perlman and Beauchamp rendered the GCAO's continued representation "*per se* improper." In its March 2025 response, the GCAO stated that it had erected "numerous protections and solutions" to "shield[] Mr. Beauchamp from any participation as a prosecutor in this case." It represented that these precautions "ensur[ed] that Mr. Beauchamp has no contact with the victim." It further emphasized that Collins was the "sole and final decision maker on the means of the prosecution of this case" and that Collins had assigned the prosecution of the case to a GCAO attorney outside of the main office in Globe, the site of the incident. It maintained that these measures erased "even a scintilla of impropriety" from its continued representation.

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The GCAO also represented that “Mr. Bea[u]champ has no access, influence or decision-making power in this particular matter.”

¶7 At an evidentiary hearing, Beauchamp confirmed he was a friend of Perlman and conceded that he had been monitoring the case and had fielded public questions about it, had met with Perlman in Perlman’s capacity as victim, and had been present for discussions about the appropriate plea to offer. The superior court nonetheless denied Hamlet’s motion for disqualification. This petition for special action followed.

Special-Action Jurisdiction

¶8 Special-action jurisdiction is highly discretionary and is appropriate when, as here, a party has no “equally plain, speedy, and adequate” remedy by appeal. Ariz. R. Spec. Act. R. 2(b)(2); *see also White v. State*, 259 Ariz. 310, ¶ 4 (App. 2025). Although “[w]hether to accept jurisdiction of an appellate special action is within the court’s discretion,” Ariz. R. P. Spec. Act. 12(a), we have routinely handled questions of vicarious disqualification of a prosecutorial agency by special-action review, *see, e.g., State v. Marner*, 251 Ariz. 198, ¶ 6 (2021); *Turbin v. Superior Court*, 165 Ariz. 195, 196 (App. 1990); *State ex rel. Romley v. Superior Court (Romley)*, 184 Ariz. 223, 225 (App. 1995). And, to the extent we conclude the GCAO’s continued involvement in the prosecution risks an ongoing appearance of impropriety, such damage to the public perceptions of our justice system could not be fully remedied by a subsequent appeal, perhaps years after the start of prosecution. Finally, “disqualification of a prosecutor’s office is a matter of statewide importance and is likely to recur.” *State v. Chambers*, 255 Ariz. 464, ¶ 12 (2023). We therefore accept special-action jurisdiction.

Discussion

¶9 Hamlet argues that the longstanding friendship between Beauchamp and Perlman would undermine public confidence in any prosecution conducted by the GCAO. For this reason, Hamlet contends that the GCAO must be vicariously disqualified from further participation in his case on the ground that its continued role creates an appearance of impropriety. He further asserts that Beauchamp’s continued involvement in the prosecution, the manner in which the GCAO has conducted that prosecution, and Perlman’s crime-scene claim that Beauchamp would “want to do something . . . because it’s me” all heighten the appearance of impropriety and would cause a reasonable observer to question the fairness of the criminal process in this case.

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¶10 We review a superior court’s decision whether to grant a motion to disqualify for abuse of discretion. *Chambers*, 255 Ariz. 464, ¶ 13. We defer to the court’s factual findings and will affirm them if they are supported by reasonable evidence. See *Skaggs v. Fink*, 256 Ariz. 437, ¶ 5 (App. 2023); *State v. Dayton*, 257 Ariz. 58, ¶ 7 (App. 2024). But we review de novo conclusions of law. *Marner*, 251 Ariz. 198, ¶ 8. “An error of law in reaching a discretionary conclusion may constitute an abuse of discretion.” *Chambers*, 255 Ariz. 464, ¶ 13 (quoting *State v. Thompson*, 252 Ariz. 279, ¶ 26 (2022)).

¶11 In ruling on a defendant’s motion to vicariously disqualify, the superior court “must first determine whether the subject attorney must be disqualified from prosecution of the case.” *Romley*, 184 Ariz. at 227-28. If a defendant meets the burden of showing disqualification of the subject attorney is necessary, the court must apply the four-factor *Gomez* test to determine whether vicarious disqualification of the entire office is also appropriate. *Chambers*, 255 Ariz. 464, ¶ 17. These factors are:

- (1) whether the motion is being made for the purposes of harassing the defendant,
- (2) whether the party bringing the motion will be damaged in some way if the motion is not granted,
- (3) whether there are any alternative solutions, or is the proposed solution the least damaging possible under the circumstances, and
- (4) whether the possibility of public suspicion will outweigh any benefits that might accrue due to continued representation.

Gomez, 149 Ariz. at 226 (quoting *Alexander v. Superior Court*, 141 Ariz. 157, 165 (1984)).

¶12 The fourth factor – whether the possibility of public suspicion outweighs the benefits that may accrue if the agency continues its representation – “is especially pertinent where the defendant is seeking to disqualify a prosecutor or an entire office.” *Marner*, 251 Ariz. 198, ¶ 17. This is because “in a criminal prosecution, ‘even the appearance of unfairness cannot be permitted.’” *Id.* (quoting *State v. Latigue*, 108 Ariz. 521, 523 (1972) (applying former version of rules of professional conduct)). Rather, “[j]ustice and the law must rest upon the complete confidence of the thinking public and to do so they must avoid even the appearance of impropriety.” *Latigue*, 108 Ariz. at 523.

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¶13 The superior court did not expressly find that Beauchamp himself has a conflict of interest preventing him from involvement in Hamlet’s prosecution. Instead, apparently assuming the presence of a conflict, the court applied the *Gomez* factors and determined, respectively as to those factors, that: (1) Hamlet had made the motion in good faith; (2) Hamlet had failed to demonstrate he would be harmed by the GCAO’s continued representation because “[t]he facts simply do not show that” Beauchamp and Perlman “are close personal friends, either currently or in the past,” and that “Beauchamp is not involved in the prosecution of this case”; (3) Collins was “empowered as the final and sole decision-maker regarding the prosecution,” with the implied conclusion that screening Beauchamp was unnecessary; and (4) Hamlet had not demonstrated public suspicion would outweigh the benefits of the GCAO’s continued representation. In short, the court found Hamlet had met only the first *Gomez* factor and thus vicarious disqualification was unnecessary.

¶14 Even deferring, as we must, to the superior court’s factual determinations, *see Skaggs*, 256 Ariz. 437, ¶ 5, we cannot agree with the legal conclusions the court reached under the specific facts of this case. *See Chambers*, 255 Ariz. 464, ¶¶ 17, 31 (implicitly treating conclusions as to *Gomez* factors as mixed question of law and fact and vacating trial court’s grant of vicarious disqualification). Specifically, the court erred by anchoring its inquiry of each *Gomez* factor in its determination that Beauchamp and Perlman were not “close personal friends” and that Perlman’s retirement from the bench nullified any other potential for impropriety. *Gomez* requires a court to apply the totality of the facts to each of the four factors, rather than considering only those facts going to the existence of an actual conflict. *See State ex rel. Mitchell v. Palmer*, 257 Ariz. 187, ¶ 28 (2024) (superior court “should consider all relevant evidence” when deciding whether prosecutor’s office must be disqualified). Apart from its determinations regarding the depth of Beauchamp’s friendship with Perlman, the court failed to address the other relevant evidence before it that suggested the GCAO’s continued involvement might nonetheless reasonably appear improper to the public. It failed to address whether Beauchamp had been properly screened from the case to the extent necessary to assuage any public perception that he was retaining influence over its prosecution. Nor did it address whether any form of screening could cure that improper appearance given Beauchamp’s public role as the head of the office.

¶15 In particular, the superior court erred in failing to apply the totality of the undisputed facts to the fourth *Gomez* factor. This factor asks “whether the possibility of public suspicion will outweigh any benefits that

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might accrue due to continued representation.” *Gomez*, 149 Ariz. at 226; see also *Marner*, 251 Ariz. 198, ¶ 17.

¶16 We “will not ordinarily second-guess” a superior court’s “determination regarding public perception of a fair trial in deciding whether to disqualify a prosecutor’s office.” *Marner*, 251 Ariz. 198, ¶¶ 12, 17. But, by basing its conclusions solely on the finding that Beauchamp and Perlman were not close personal friends, the court did not undertake the comprehensive inquiry required under *Gomez*. That inquiry requires consideration of whether Beauchamp’s level of friendship with Perlman—however short of “close”¹—coupled with all other undisputed events in the case, would create an appearance of impropriety.

¶17 The undisputed facts affecting public perceptions include: (1) Perlman invoked Beauchamp’s name early in the investigation, conveying confidence that his relationship with Beauchamp would entitle him special treatment;² (2) the GCAO accepted important, material evidence directly from the judge-victim, more than a month after the incident, with no chain-of-custody tracking and no questions regarding its completeness, even though that evidence was in the form of video footage that could easily be altered, and which, if unaltered, should have captured the salient events; (3) Beauchamp admitted that, in flat contradiction of his office’s written representations to the superior court before the hearing, he had participated in the prosecution by monitoring the case, by responding to community members’ inquiries about the status of the case, and by attending a conversation between Collins and Perlman concerning a possible plea offer; and (4) Beauchamp acknowledged that he had remained

¹Beauchamp testified that he and Perlman were “friends,” that they shared office space and an administrative assistant for several years as young lawyers, and that they had taken their families on a fishing trip together. Beauchamp offered no testimony suggesting that whatever level of friendship they had established at that time had eroded in subsequent years. To the contrary, he acknowledged that they greeted each other cordially when they had casually encountered each other thereafter.

²At oral argument, Hamlet’s appellate counsel acknowledged that a good defense attorney would elicit Perlman’s comment—that “Brad will want to do something with it because it’s me”—at trial. This would raise obvious questions to any juror, and any member of the public in attendance, whether the prosecution of Hamlet by the GCAO might have involved such favoritism.

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apprised of the status of the prosecution, specifically “because of the community awareness of the case” and because of Perlman’s stature in the community. At minimum, these facts demonstrate that the public was attentive to the case and that, once apprised of the above facts, it might have concluded that Hamlet was not being treated fairly based on Perlman’s relationship to Beauchamp. Further, by fielding public inquiries about the case, Beauchamp necessarily signaled to the public that he retained some responsibility over the case. And, as the parties appeared to concede during oral argument, any trial of Hamlet would involve amplification and exploration of the above facts before the general public, including the jury.

¶18 Even if we were to assume that the superior court considered these factors but merely failed to articulate them in its order, the court nonetheless erred when it failed to make any finding regarding the second part of *Gomez*’s fourth factor: whether those facts giving rise to public suspicion would outweigh any benefits that might accrue due to the GCAO’s continued representation. Given the ready ability of any other Arizona county to assume prosecutorial responsibilities of the case free from any appearance of impropriety, we are skeptical those benefits would outweigh the potential damage to public trust in the GCAO’s neutrality.

¶19 During oral argument before this court, the GCAO struggled to articulate any special public need for its continued involvement beyond the minor efficiencies arising from its familiarity in working with the investigating agency.³ On this record, we therefore conclude that the fourth *Gomez* factor weighs heavily in Hamlet’s favor, and the superior court erred in finding otherwise.

¶20 Nor can we agree that the GCAO had sufficiently screened Beauchamp from participation in this matter, a necessary finding under the third *Gomez* factor. This factor asks whether any alternative solutions exist to vicarious disqualification or if full disqualification is the least damaging option. *Chambers*, 255 Ariz. 464, ¶ 29. Typically, vicarious disqualification

³In weighing those competing interests, we are mindful that public perceptions of our justice system depend on our prosecuting agencies abiding by, and appearing to abide by, their own elevated standards of conduct. See *Villalpando v. Reagan*, 211 Ariz. 306, ¶ 11 (App. 2005) (“[A] prosecutor’s duty to avoid a conflict of interest is prime because his paramount duty is to the principle of ‘fairness.’ In other words, his interest is not so much to prevail as to ensure that ‘justice shall be done.’” (quoting *Pool v. Superior Court*, 139 Ariz. 98, 103 (1984))).

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is unnecessary if a single attorney within a prosecuting agency has a conflict because that individual attorney may be screened. *See, e.g., Romley*, 184 Ariz. at 230. But, here, Beauchamp “has complete political and operational control” over the GCAO. As such, his influence extends to individual prosecutors assigned to the case even if Beauchamp does not make direct decisions on the case. *See, e.g., State v. Hursey*, 176 Ariz. 330, 334 (1993) (conflicted prosecutor “does not alleviate the ‘appearance of impropriety’ by merely assigning part of the case to another prosecutor” because “‘public confidence in the criminal justice system . . . is eroded when a prosecutor has a conflict or personal interest in the criminal case which he is handling’” (quoting *Turbin v. Superior Court*, 165 Ariz. 195, 199 (App. 1990))).

¶21 Further, the undisputed record indicates that the GCAO never actively screened Beauchamp from the case. *Contra Romley*, 184 Ariz. at 228-29 (noting features of effective screening process). Rather, the GCAO argued to the superior court that “Mr. Beauchamp may participate in this matter.” And the evidence is undisputed that he did participate. As stated at length above, Beauchamp testified that he had personally interacted with Perlman about the case, more than once, citing his duty as a county prosecutor to speak to crime victims when they so requested. Beauchamp also testified that he had been present during a conversation between Collins and Perlman regarding the possibility of offering a plea agreement to Hamlet. And Beauchamp had directed his staff to keep him posted about the status of Hamlet’s prosecution because of “community awareness” of the case, derived in part from Perlman’s stature in the community. These facts all weigh in favor of finding that Beauchamp has not been meaningfully screened from the prosecution, notwithstanding the GCAO’s avowal to the contrary.

¶22 Even accepting the superior court’s finding that Beauchamp and Perlman are not “close” personal friends, Beauchamp’s level of involvement in the case, despite the GCAO’s attestations that he had been fully screened from the matter, compounds the appearance of impropriety in this matter. “[A] successful screen must preserve both the reality *and* appearance of fairness.” *Palmer*, 257 Ariz. 187, ¶ 21. Here, where Beauchamp concededly interacted with the public and victim regarding the case, the GCAO cannot persuasively maintain that Beauchamp did not present the public appearance of being involved. Thus, the third *Gomez* factor weighs heavily in Hamlet’s favor.

¶23 Finally, Hamlet presented substantial evidence, unaddressed by the superior court, supporting the second *Gomez* factor. This factor asks whether the party bringing the motion to disqualify is likely to suffer

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prejudice if the motion is not granted. *Marner*, 251 Ariz. 198, ¶ 15. The superior court reasoned that Hamlet had failed to demonstrate he would be damaged by the GCAO's continued representation. But this determination was based solely on the court's observations that Beauchamp and Perlman were not "close personal friends," that Beauchamp was "not involved in the prosecution of this case," and that Perlman was no longer a magistrate judge. These findings fail to assess the potential for Hamlet to suffer prejudice in light of the court's implicit finding that some conflict existed and in light of the broader circumstances of the case.

¶24 Defendants must offer more than mere speculation in arguing that they would be prejudiced in the absence of disqualification. See *Burch & Cracchiolo v. Myers*, 237 Ariz. 369, ¶ 30 (App. 2015) (reasoning that actual prejudice "is difficult to quantify" and courts should instead "consider whether prejudice *may* occur"). But Hamlet has offered plausible reasons to believe that the GCAO's continued involvement harms his legal prospects arising from the altercation. He has suggested in his pleadings below, and before this court, that his case has already been prosecuted far more aggressively than one would expect given the underlying facts. He expressly or implicitly directs us to: (1) the investigating deputy's initial uncertainty about who to believe and who to cite, (2) manifest irregularities in the collection and completeness of video evidence that could have clarified the identity of the more culpable party in the altercation, and (3) obvious prosecutorial challenges in presenting the alleged victim, Perlman, as a credible or sympathetic witness at any trial.⁴

¶25 We are not equipped by either the incomplete pretrial record before us, or by our institutional role, to draw any ultimate conclusions about the strength of the state's case against Hamlet. But Hamlet does provide a non-trivial basis for contending he has already suffered actual prejudice: prejudice arising from the GCAO's discretionary decision first to prosecute him at all and then to elevate his charge from a misdemeanor to felony assault.

⁴Based on assertions by Hamlet's counsel to the superior court and to this court on appeal, Perlman would likely face cross-examination regarding the credibility of his version of events given Hamlet's advanced age, Perlman's remarks expecting favoritism, Perlman's delayed submission of the incomplete video evidence, and Perlman's apparently inaccurate testimony when describing details of the incident when seeking a protective order against Hamlet.

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¶26 Fundamentally, “[a] prosecutor has the responsibility of a minister of justice and not simply that of an advocate.” Ariz. R. Sup. Ct. 42, ER 3.8, cmt. 1. Hamlet’s strong personal interest as well as the more generalized public interest in maintaining confidence that the prosecutorial system operates fairly goes to the very integrity of the judicial system. *See Marner*, 251 Ariz. 198, ¶ 17. For these reasons, we conclude that each of the *Gomez* factors weighs in Hamlet’s favor, and the superior court erred in its determination to the contrary.

¶27 In so concluding, we are mindful that in less populated counties such as Gila County, it would be impractical to require office-wide disqualification from every case in which the chief prosecutor has had some acquaintance with a victim or defendant. *See, e.g., Chambers*, 255 Ariz. 464, ¶ 31 (vacating vicarious disqualification of the GCAO where Beauchamp previously represented criminal defendant in civil matters with “no substantial relationship” to prosecution). But our courts must assess each case of purported conflict under the totality of the circumstances under the *Gomez* factors. *Palmer*, 257 Ariz. 187, ¶ 25 (“[C]ourts must analyze each [*Gomez*] case according to its specific facts.”). Here, we address more than a potential conflict based on mere acquaintance or a brief professional relationship. And, people residing in Arizona’s less populated counties are no less entitled to have their public officials and institutions appear to conduct themselves in ways that inspire confidence under such circumstances. The GCAO must be vicariously disqualified from further representation in this matter.

Disposition

¶28 For the foregoing reasons, we accept special-action jurisdiction and reverse the superior court’s order denying vicarious disqualification of the GCAO. We remand the matter for further proceedings consistent with this opinion.

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April 6, 2026

COMMISSION ON JUDICIAL CONDUCT
1501 W. WASHINGTON STREET, SUITE 229
PHOENIX, ARIZONA 85007

Resp (Perlman)

APR 08 2026
2025-642

RE: Response to complaint, Case No. 25-642

Dear Commission on Judicial Conduct:

Let me begin by saying that I am deeply regretful in having to respond to a complaint against me for something I may have done or not done that could give rise to a concern of this nature.

That said, a brief background of the events leading up to the allegation of the use of my status as a judge for personal gain and an appearance of impropriety may be helpful in the Commission's determination regarding my actions immediately thereupon.

My family had boarded horses on property where the Defendant, Mr. Hamlet, also kept horses and several head of cattle. My family paid a monthly board fee for our horses. Mr. Hamlet, as he was friends with the property owners, paid no board fee, instead helping the owner by feeding the boarded horses at times. Everyone on the property was responsible for keeping their feed available for their individual requirements. Mr. Hamlet and I came to know each other and had a generally acceptable relationship over this time. My daughter gave one of his granddaughters some riding lessons and I helped him repair a broken machine he used on the property.

There were a number of times when my hay supply was much more reduced than what my horses would normally consume and I spoke with the property owner about the appearance of Mr. Hamlet taking my hay and perhaps feeding it to his cattle. I was told by the owner not to bring it up as Mr. Hamlet could have a bad temper. So I kept to my own, did not bring it up, and instead chose to keep a distance between myself and Mr. Hamlet.

In May of 2022, Mr. Hamlet's granddaughter appeared in my magistrate court on a civil traffic matter, the result of which was that I found her responsible for one of two the traffic violations. It was shortly after this that I observed a marked increase in the amount of hay taken from my supplies on a near daily basis. I would set out portions for my horses in the evening only to discover that the portions had been used, as well as, at times, much greater amounts of hay taken

as well, sometimes an entire bail, which was far more than my horses could consume and far more than would be safe to feed them at a single feeding. During this time Mr. Hamlet was aware that I was a judge and I believe that my position as a judge justified his taking something from me to even the score for his granddaughter being found responsible in my court.

I was fairly certain that Mr. Hamlet was taking my hay, as he pleased, to feed his cattle, but lacking proof, I installed a trail camera overlooking my hay supply. It was shortly after this that one of the videos showed Mr. Hamlet approach my hay supply, pick up two flakes from the bales, and then walk them into his cattle and throw them to the ground. Other videos captured similar events and a couple videos showed that Mr. Hamlet sometimes just opened the gate and allowed his cattle to feed directly from my hay supply. This made it clear that Mr. Hamlet was in fact taking my hay and using for himself.

I again approached the owner of the property and was again told not to bring it up. Again, I did not bring up the issue and avoided interaction with Mr. Hamlet.

On September 26, 2023, I had not eaten that day as I was fasting and I had on a brand new shirt. It was late afternoon and it was hot that day. Mr. Hamlet directly approached me while I was tending to chores in the horse stable area. He confronted me and I expressed that I knew that he had, on various occasions, helped himself to my store of hay, which he denied. Mr. Hamlet then asked if I was calling him a liar, to which I replied that I believed him to be both a thief and a liar. Mr. Hamlet then proceeded to physically assault me, violently taking me to the ground whereupon my right arm was broken at the ulna bone several inches from the elbow. He continued his assault, pinning me to the ground and striking at my head and face with his fists. My right arm was of little use and I was struck on the forehead, nose and chin, despite my attempts to avoid the blows. My daughter, who was nearby, rushed to my assistance and was able to pull Mr. Hamlet off of me. I instructed her to release her hold of Mr. Hamlet and after I stood up, I reached down with my good arm and helped Mr. Hamlet to his feet. I was in a state of shock and disbelief after the initial attack. I had never been in a physical fight. I was steadfast in my misconception that this whole matter was something to be discussed and resolved civilly.

Once on his feet, Mr. Hamlet threatened to kill my daughter and threatened to kill me as well, and then he quickly grabbed a nearby farm implement commonly known as a pitch fork and proceeded to stab it at my mid-section. I was fortunate to dodge the points of the tool and Mr. Hamlet then turned the tool against my daughter. I was able to reach for the handle and with my one good arm held onto the tool, which Mr. Hamlet then pointed and shoved at my face and neck. Again Mr. Hamlet knocked me to the ground, continuing to try to injure me with the tool, until my daughter was able to take it from him. Mr. Hamlet continued to engage in his assault on me until my daughter hit him with the tool handle. I regained my footing yet again, and again, using my good arm, pulled Mr. Hamlet up and onto his feet. This concluded Mr. Hamlet's attack on me and my daughter. Mr. Hamlet then left the area. I asked my daughter to call law enforcement and then waited while I assessed my injuries. I could feel the space in the bone where the elbow portion was completely disconnected from the rest of the bone. Pain began to rise and I could

feel shock creeping in. This event remains the worst experience in my lifetime.

After about twenty minutes or so, the Gila County Sheriff officers arrived. The first one to approach me recognized me and greeted me calling me "Judge."

With that background information in place, I remember that I was tremendously relieved that law enforcement had finally arrived. I was standing in the heat, enduring the increasing pain, feeling shaky and I knew that shock symptoms were building. I knew that my arm was broken and I had concerns about leaving my daughter and our horses on the property with Mr. Hamlet still there. But I was very glad to be alive and thankful that my daughter had not been injured. I was also relieved to hold the belief that I hadn't done anything wrong or dis-honorable; I had not struck Mr. Hamlet and in fact had helped him to his feet, twice. I had held firmly to my own moral compass. And shock was literally beginning to cloud my vision.

I do not have a copy of the actual complaint that I am responding to, but I believe it arises from the record which states that body cam footage shows me telling a sheriff's deputy that I was a local judge and then stating, "with a chuckle": "Brad will want to do something with the allegations because its me," which I believe was stated in response to whether I wanted to prosecute the case.

Addressing what I believe to be the nexus of the complaint, that is, telling an officer that I was a judge, if I should not have mentioned that I was a judge, then I stand corrected. In the moment, looking back on the situation, judicial ethics and canons were not forefront in my mind. Also looking back, it occurs to me that I would have been remiss in not telling the officers that I was a judge, which might have been important for law enforcement and the Prosecutor's office to be aware of in considering whether to conflict the matter out as I was a judge in the locale.

Later, I came to understand from at least one credible source that Mr. Hamlet had lost boarding privileges at a nearby stable for stealing hay and fighting with the premises owner. This information came from none other than the Gila County Attorney, Brad Beauchamp. Without knowing this, I believed at the time of the attack, that Mr. Hamlet would be held to account by our County Attorney. Had I known this about Mr. Hamlet earlier, I would have gotten my family, my horses, and myself, away from Mr. Hamlet entirely.

I find it ironic that I had been advised of Mr. Hamlet's known history concerning hay theft and fighting by Mr. Beauchamp. Please keep in mind that I had known Mr. Beauchamp for many years and we had kept up a relationship a colleagues and friends. I knew that Mr. Beauchamp was aware of my character and credibility. I was also well aware that Mr. Beauchamp, as County Attorney, took an especially harsh position when it came to crimes committed by any person against any victim. If I chuckled when I said, "Brad will want to do something...", perhaps it was because I felt a sense of relief in knowing that Mr. Hamlet would most likely be held to account for violently attacking me, even before I learned that Mr. Beauchamp had personally experienced a similar event involving Mr. Hamlet.

The effects of the attack and subsequent injury are felt to this day as my right arm throbs and effects the quality of my life. The broken ulna bone required surgery, which didn't take place for several weeks because the swelling was too severe. The time spent waiting for surgery was painful to say the least, but the pain post-surgery was far greater. Recovery was slow and required a bone stimulation device to facilitate healing. Physical therapy was painful as well. I continue to have persistent numbness and tingling in my right hand fingers as the result of damage to the ulnar nerve. I have to wear a padded sleeve on my elbow to protect it from the slightest jolt or bump. It is painful to rest my elbow on a table, desk or car console or armrest. There is a scar where the surgery to repair the bone was done and a metal plate and screws can be felt just under the surface of the skin. This entire event will haunt me the rest of my days. It has effected my work in that my concentration levels have been compromised and I now have anxiety at the prospect of any conflict, including the basic situations which arise in the practice of law. These are the central reasons for leaving my position as magistrate judge for the City of Globe.

In closing, I believe that my daughter very likely saved my life on the day of the attack by Mr. Hamlet. Had she not been there, Mr. Hamlet would likely have beaten me further, perhaps to death.

I am aware of the judicial canons and code of ethics and realize, in hindsight, that I should have not mentioned my position to the officers at the time. In that regard, I may have failed. If I created any appearance of impropriety in anything I did or said in those difficult moments, then again, I may have failed.

I will respectfully accept whatever punishment the Commission deems appropriate in the circumstances.

Should you have any questions or concerns, in these or any other regards, please do not hesitate to contact me directly, at your convenience, of course.

Sincerely and With All Due Respect,

John S. Perlman