

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2010-077

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: March 22, 2010

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

I HEREBY REQUEST AND INVESTIGATION OF JUDGE _____ I BELIEVE
JUDGE _____ HAS SHOWN A SEVERE BIAS AND PREJUDICE TOWARD THE
PETITIONER IN CASE FC2002-

JUDGE _____ HAS INAPPROPRIATELY USED RESPONDENTS WIFES INCOME TO CALCULATE
PETITIONER _____ ALIMONY AWARD. RESPONDENT AND RESPONDENTS WIFE DO NOT MIX
FUNDS AND DO MAINTAIN SEPARATE RESIDENCES AND SEPARATE LIVING EXPENSES. RESPONDENTS
WIFES INCOME SHOULD NOT HAVE BEEN USED TO CALCULATE ALIMONY AWARD. JUDGE _____ HAS
STATED IN HER RULING DATED JUNE 22, 2009 THAT PETITIONER HAD AN INCOME AMOUNT THAT WAS
PROVEN TO BE THAT OF RESPONDENTS WIFE. RESPONDENT HAS SUBMITTED AN "ADJUSTED INCOME
STATEMENT", AS REQUESTED BY JUDGE _____, BUT JUDGE _____ HAS FAILED TO USE ANY
INFORMATION GIVEN IN THE ADJUSTED INCOME STATEMENT. AS A RESULT THE 2008 AND 2009
ALIMONY AWARD IS GREATER THAN RESPONDENTS ENTIRE YEARS INCOME.

PETITIONER submitted false documents to the court stating that in 2008 RESPONDENTS Gross Personal
Income was \$85,193 (she lied and claimed from the sale of used vehicles by Respondent). The 2008
Personal Income Tax Return states income from a W-2 as being \$85,193. This income is for Respondents
wife, who was an employee of Verizon Wireless. Respondent's wife was laid off from Verizon Wireless
on April 15, 2009 and has not worked since. Husband has not received a W-2 in over 30 years.
RESPONDENT's income is listed on line 17 of the income tax return and is in the amount of \$30,030. The
amount given on the INCOME JUSTIFICATION form requested by the court shows a personal income of
\$23,250. The only source of income the RESPONDENTS has is the Engineering Business, known as
Engineers, Inc. formerly

PETITIONER submitted false documents to the court stating that in 2006 RESPONDENTS Gross Personal
Income was \$76,917 (she lied and claimed from the sale of used vehicles). The 2006 Personal Income
Tax Return states income from a W-2 as being \$76,917. This income is for Respondents wife, who was an
employee of Verizon Wireless. RESPONDENT has not received a W-2 for over 30 years. RESPONDENTS
income is listed on line 17 of the income tax return and is in the amount of \$42,167. The amount given
on the INCOME JUSTIFICATION form requested by the court shows a personal income of \$50,802. The
only source of income the RESPONDENTS has is the Engineering Business, known as
Inc. formerly

As a result of the Judge using Respondents wife's income to obtain erroneous alimony calculation Respondent has been forced to take out a \$50,000 second mortgage to pay the Alimony, with a payment of \$576.00 for the next 8 years and refinance the first mortgage taking an addition \$40,000 to pay Alimony. The Respondents income is currently less than the required Alimony.

Based on comments from Judge Spousal Maintenance is supposed to be a balancing tool equating both parties income after a divorce. This is clearly unfair to the Respondent as the Petitioner has earned \$174,462 more than respondent leaving Respondent broke and business depleted and with a very dim future.

	Respondent's Income	Alimony Awarded	Petitioner's Income	Petitioners Total Income
2006	\$50,802	\$30,000	\$14,255	\$44,255
2007	\$44,300	\$29,000	\$50,859	\$79,859
2008	\$23,250	\$24,000	\$52,000	\$76,000
2009	<u>\$13,638</u>	<u>\$22,470</u>	<u>\$39,388</u>	<u>\$61,858</u>
	\$131,990	\$105,470	\$156,502	\$261,972

The above figures clearly show that the Alimony awarded to the Petitioner has been greater than the Respondents Income for the last two years. Judge has used erroneous data to calculate alimony and I believe this needs to be addressed by this Commission as unprofessional, biased and prejudice.

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Your name:

Judge's name:

Date: March 23, 2010

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

I HEREBY REQUEST AND INVESTIGATION OF JUDGE : I BELIEVE
JUDGE HAS SHOWN A SEVERE BIAS AND PREJUDICE TOWARD THE
PETITIONER IN CASE FC2002-4

During a hearing on March 2009 Judge had asked why Respondent was behind in Alimony. Respondent's stated the economy was slow, although there was work, the income levels were far below that of January 19, 2006 when the original Alimony Modification was made by Judge Judge ; then told Respondent to go find a new job. Respondent believes this is a bias opinion as Judge should have requested that the Petitioner go find a new job as Petitioner complained that her income was far less as well.

The Alimony awarded to the Petitioner now far exceeds the Respondents gross personal income. Judge has told Respondent to go find a new job. Respondent feels this is a biased opinion as Respondent has a Bachelor of Science Degree in Civil Engineering from Arizona State University received in 1977. Respondent started his own civil engineering business in 1981, after apprenticing for 4 years with an engineering firm in Phoenix, Arizona. Respondent has maintained the civil engineering business for 29 years. During those 29 years there were several other years where the company's income had decreased to a level much lower than the average income. The income in 1987 was 25% of the income in 1985. The income in 1992 was 20% the income of 1985. The income in 2001 was 20% the income in 1999. The income in 2009 was 26.8% the income in 2006. It is not unusual to have up and down income when you own your own business. The alimony awarded to Petitioner was set in 2006 during the hottest economy and the highest income levels ever in the City of Phoenix. The Alimony awarded in 2006 does not fit with the income of 2009 but yet Judge insists on leaving the Alimony Award at nearly the same level making it impossible for Respondent to pay the required Alimony. As a result the Respondent has had to use his assets to pay back alimony.

In March of 2007, because Respondent's income was less than the awarded alimony to the petitioner, Respondent had to take out a \$50,000 second mortgage against his own personal property. This second mortgage is an additional expense Respondent has to pay monthly that was not required in January of 2006 when the original Alimony figure was set. This further decreases the Respondents ability to pay the awarded alimony.

In addition:

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In October of 2009, because Respondent's income was less than the awarded alimony to the petitioner, Respondent had to refinance his original mortgage and added an additional \$40,000 to the first mortgage on Respondents own personal property. This increase in the first mortgage has decreased the value of the Respondents personal property.

Respondent has now lost \$90,000 in assets while Petitioner has gained nearly \$300,000 in her asset.

It is Respondents belief that Judge _____ is biased and prejudiced in this case and Respondent cannot receive fair any impartial rulings on any further proceedings. I would like this commission to investigate this matter based on the information herewith submitted.

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2010-077

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: March 24, 2010

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

I HEREBY REQUEST AND INVESTIGATION OF JUDGE _____ I BELIEVE
JUDGE _____ HAS SHOWN A SEVERE BIAS AND PREJUDICE TOWARD THE
PETITIONER, _____, IN CASE FC2002-

JUDGE _____ REFUSED TO ENFORCE A COURT ORDER SHE HAD GIVEN PETITIONER TO RELEASE A LIEN ON
RESPONDENTS PROPERTY.

Judge _____ refused to apply any type of discipline or penalty against Petitioner for her failure to remove a
Lien she had filed against Respondents property after Respondent paid it off in full. Petitioner was awarded a
judgment against Respondent based on back alimony owed. Petitioner then placed a Lien against Respondents
property. Respondent took out a second mortgage against his property to pay off the judgment. Petitioner
refused to release the lien upon proper payment by the Respondent. Respondent supplied the court with
documentation proving the judgment had been paid off. Judge _____ then ordered Petitioner to release the
Lien and ordered Respondent to refinance Respondents property to get the petitioners name off the current loan
for Respondents property. Respondent requested Judge _____ order Petitioner release the lien a second time
so a lending institution would refinance the property without Petitioners name on the loan. Judge _____
ordered petitioner to release the lien but Petitioner refused, lying to the court saying that it had been done.
Respondent has pointed this fact out to Judge _____ : a three occasions but Judge _____ has refused to
make the Petitioner release the lien and has not applied any sanctions for the damages resulting in Petitioners
failure to release the Lien. The Petitioner never released the Lien and as of this date has yet to release the Lien.
Respondent has been required to file suit against Petitioner on June 7, 2009 in Pinal County court to get the Lien
released. Petitioner has agreed to sign the release on several occasions but has not done so. Following is the
timeline concerning the Lien:

January 19, 2006 Judge _____ awards Defendant a judgment against Petitioner for and amount of
\$27,000 for the period of February 1, 2005 thru October 31, 2005

February 13, 2006 1:23 PM Defendant records Judgment in Maricopa County Records Office 2006-

February 13, 2006 2:01.00 PM Defendant records Judgment in Pinal County Records Office 2006- _____ against
property owned by Petitioner.

February 9, 2007 Petitioner takes out Second Mortgage and pays Maricopa County Clearing House \$27,000.00 to
pay off \$27,000 judgment.

