



The Superior Court

STANLEY MOSK COURTHOUSE
111 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012
CHAMBERS OF
BRENDA J. PENNY
SUPERVISING JUDGE
PROBATE AND MENTAL HEALTH

TELEPHONE
(213) 633-0254

February 18, 2022

Mr. Ernest L. Moore
3651 S. La Brea Ave.
#510
Los Angeles, CA 90016

Re: Your Letter Dated December 15, 2021; Received on December 15, 2021; Los Angeles Superior Court (LASC), Moore Family Trust Case No. BP084530, Myrtle Moore Living Trust BP 141987 and Myrtle Moore Conservatorship BP097063

Dear Mr. Moore:

On December 15, 2021, the Court received the complaint you filed against Judge Ana Maria Luna. In your letter you "demand that I disqualify and remove Judge Luna from your probate case immediately and replace her with an ethical, fair and competent judge who can follow all laws pertaining to the probate litigation in your case." You further allege that Judge Luna has caused irreparable harm to your probate case. Among other things, you assert "that sanctions were granted against you, that your request to continue a trial was denied, that Judge Luna required you to proceed to trial without all the evidence you needed, that your petitions were denied with prejudice, that Judge Luna approved fraudulent accountings and that she is not fit to be a judge." I note that you also referred to Judge Barbara Johnson in your letter.

My authority pursuant to the complaint letter process is limited only to determining whether another judicial officer has violated the Canons of Judicial Ethics. I have no authority to address or comment on any issue you assert that does not allege a possible violation of the Canons of Judicial Ethics.

In response to the allegations in your letter, I reviewed the court file in this case and spoke with Judge Luna. I have not located anything in the Court record or through my discussion with

Judge Luna which support a determination that Judge Luna violated the Cannons of Judicial Ethics or engaged in potential judicial misconduct.

In addition, please note that Judge Johnson has retired and is no longer a Superior Court Judge. To the extent your letter asserts any possible misconduct by a retired judicial officer no longer presiding in the Los Angeles Superior Court, I cannot investigate such claims of misconduct because I have no authority over retired judicial officers.

Further, while I understand your disappointment with rulings or outcomes that were not favorable to you, to the extent your letter seeks any intervention as to such rulings or outcomes that have been issued, I am unable to assist you. All judicial officers of the Superior Court are independently appointed or elected constitutional officers and are therefore prohibited from intervening in pending cases or from engaging in ex parte communications regarding such matters.

Accordingly, neither the presiding judge nor a supervising judge – nor any superior court judge – has the authority to review, overrule, intervene in, or otherwise affect the outcome of any matter or proceeding before another judicial officer. Please be advised that the complaint letter process cannot substitute for the appropriate filing of law and motion at the trial court level or function as a request for appellate review.

Although a judicial officer is required to be faithful to the law in the performance of judicial duties, a judicial officer does not violate the Cannons of Judicial Ethics simply because of rulings which may be incorrect or the exercise of judicial discretion with which a party disagrees. A complaint letter does not allow the presiding judge or any supervising judge to undertake an independent evaluation of the decision-making process of another judicial officer. It is only a mechanism to evaluate concerns about possible judicial misconduct or violations of the Canons of Judicial Ethics.

Absent specific facts alleging and substantiating potential judicial misconduct, I have no authority to take any further action in response to your letter. Accordingly, I am taking no further action on your complaint.

Very truly yours,



Brenda J. Penny

Supervising Judge of Probate and Mental Health