

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-009

Complainant:

No. 1145710072A

Judge:

No. 1145710072B

ORDER

An initial review of the complaint filed in this matter reveals that the issues raised are legal or appellate in nature and, in any event, are moot.

The complainant asked the commission to grant a legal motion allowing him to supplement his appellate brief. The commission is not a court and cannot rule on motions. In this instance, the Arizona Supreme Court granted the complainant's motion and dismissed his appeal.

The complaint is dismissed pursuant to Rule 16(a).

Dated: February 6, 2006.

For the Commission

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on February 6, 2006.

This order may not be used as a basis for disqualification of a judge.

To: Commission on Judicial Conduct

From: [redacted]

JAN 12 2

RE: Complaint Against [redacted]

Judge [redacted] and

[redacted] Clerk [redacted]

January 9, 2006

Dear Commission: CJC-06-009

[redacted] and [redacted]
[redacted] Have actively denied me
court access, undermined my claims
and are now refusing to allow me
to supplement my Brief, as ordered
by AZ Supreme Ct on [redacted]

All act's, are being done to continue
to abet and allow the corruption and
illegal act's, of [redacted] Court Judge

[redacted] who I filed
Numerous complaints against when
the Commission held all of its
findings from public scrutiny.

Now that the legislature, is no
longer allowing this, I am relieved
and aware that my charges are
very serious, but are all substantiated
by the evidence attached to this
complaint.

As [redacted] believes he is
also an [redacted] Judge

having denied me Numerous motions over the past 5 years, to keep me in prison for a crime. I did not commit

I am also Filing a Complaint against him as well. IF you intend to use a "technicality" to thwart my effort please keep in mind that I am a prisoner making .40¢ per hour and

IF there is an "only" one complaint per letter rule" than Judge [redacted] [redacted] will be primary complaint recipients.

I will attempt to explain the evidence in sequence.

Exhibit 1.

This [redacted], 2004 and [redacted] 2004 letter from appointed Counsel [redacted] portrays the appointed Atty. by [redacted] Ctd (After denying me counsel for 2 yrs.) as a confused and "influenced" person.

He correctly addressed that the [redacted] court committed fundamental error when it included a Rule 32 reply that was never answered, to this date, and finally dismissed by me, subsequent to the motion filed [redacted] on [redacted] part of Exhibit 1. page 2

but this commission is already well aware of the denial of court access, corruption, devious use of Clerk's, reporter's etc. in the [] County courts per my past complaints about Judge [] and his cohorts. So it will be of no surprise that no judge answered my Rule 32, Timely Filed, with state response my reply but never ruled upon, as acceptable

The fact that Judge [] et al, used my P.C.R. Reply after refusing to let me join any issues with the direct Appeal was egregious and prejudiced me greatly, as the claim was never even addressed by the trial ct. or objected to by appointed Counsel [].

This denied me court access and showed extreme wrongdoing on the part of Judge [] in the Direct Appeal process After being denied counsel by his court for 2 year's. then having appointed counsel who had [] Cancer, was certainly taking opiates and tranquilizers at the time and would not represent me as required.

Exhibit II (2)

This issue of [] was never

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presented. He [] was used by the trial c/o to commit perjury and inflame the jury to unlawfully convict me.

Judge [] was well aware of []. He had ruled on his case of []. He knew [] was a liar. He knew that the prosecutor, [], had withheld this information from me. Judge [] knew that [] was arrested for "giving false to the police" that his "rap sheet" was falsified. He knew this because he reviewed the case and ruled on it in []. I was not given this information until []

[] have had this info since before my first jury trial but withheld it. As well as the other facts in regards to [] I he wore "wires," informed, and testified for [] [] who is now disbarred. He lied on the stand about all of this and [] [] knew this when he reviewed my case. But upheld my conviction having this personal information but not even considering it. Knowing that I could never get it and [] would not present

it because if he did I would have had both the conviction and sentence overturned.

Now, so far, Judge [redacted] has accepted evidence not in the trial record but refused evidence that he created in regards to the convicted liar [redacted].

This is to support the fact that Judge [redacted] knowingly hid exculpatory evidence in my illegal sentence as well as in my conviction with the help of [redacted].

Exhibit 3. The Rulings by Judge [redacted] on the [redacted] Supreme Ct. orders are all part of his denial to court access, and are self explanatory.

Exhibit 4 The [redacted]

"Supplemental memorandum decision" was ruled on and filed while a motion for reconsideration was still in Supreme Ct. and not yet ruled on. in violation of 14th Amendment to due process.

[redacted] is complicit in Judge [redacted] erroneous decision.

Ex 5 [redacted] who was allowed to withdraw in 2-[redacted] and Judge [redacted] who recused in [redacted] all get copies to celebrate their corruption.

Exhibit 6: State Attorney General admits to retained counsel that the "single proper aggravating factor" does not exist in the ARS. ~~702~~ 13-702(c) but believes Judge [] could use it under a garbage pail catchall ARS 138 702(c)(20) which shows that [] and [] have no qualified equity in my case at all.

Exhibit 7: Judge [] denies my motion to withdraw supplement as moot, eventhough the [] (Ex 7a Supreme ct's order clearly grants me my motion to supplement my brief.

Exhibit 8. I File a motion to address the Supreme ct's order ask Judge [], et al, to please read 13702(c) (ARS) which clearly has no single proper aggravating factor presented to my jury that "the offense was committed in the presence of a minor". As there is no such aggravating factor there is a # 18 but this only applies to domestic violence cases. not my case and this was never presented to my jury. ☹

Exhibit 9. Then not only does he deny

my motion for reconsideration. But He "strikes" my supplement to address the facts. So His [redacted] memorandum decision was not legal, or legitimate. It was made without jurisdiction.

2. My case cannot be applied to [redacted] because there was no admission or testimony of any aggravating factors as mandated in ARS 13-702(c) at all.
3. The AZ Supreme Ct ordered the [redacted] Ct. to allow me to supplement my claims but Judge [redacted] refused to follow the Supreme Ct's order so He could continue to punish and retaliate against me for Judge [redacted] [redacted] and the fact that I am innocent of this crime and only in prison because of [redacted] illegal trial tactics that created manifest injustice which continue to this date.

I don't care for the corruption and cover-ups I have personally witnessed and endured in this state.

I have little faith in this commission's ethics or integrity. I am therefore only making a record that I do not

intend to allow these continued denials of guaranteed constitutional rights without making lawful complaints.

In any other state I believe my complaints would outrage and shock a commission such as this. However through past experience I believe you will all get together to cover these acts up. I am an honest man who has always been true to his word. Even here in this prison, I am this way. I can't understand why the ethics and integrity are so far removed in Arizona but I am beginning to meet others who know I am only trying to help.

You let a judge like [redacted] get away with this behavior for [redacted] years or more. He begins to believe he is above the law. He is not and my complaints are valid. I am asking for a full investigation.

I have included Exhibit CD 3/11 3/12 to support my claims and show appointed counsel

[redacted] does in fact have

[redacted] Cancer

As the Rule 32 issues involved are a separate issue my complaints will hopefully help future prisoners.