

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-159

Complainant: No. 1285610308A

Judge: No. 1285610308B

ORDER

The commission reviewed the complaint, the judge's response and the court's recording of the hearing in this matter and found no ethical misconduct overall on the part of the judge.

The complainant alleged that the judge conspired with the prosecutor to find him guilty of violating a no contact order. After listening to the recording of the hearing and considering the judge's response to the complaint, the commission found that even though the judge was stern with the complainant, she was not biased and did not clearly exceed her judicial authority. Accordingly, the commission dismissed the complaint and reminded the judge of the need to maintain proper judicial demeanor at all times.

The complaint was dismissed pursuant to Rule 16(a) and the matter is closed.

Dated: October 3, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on October 3, 2006.

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

CJC-06-159

JUNE 7, 2006

COMPLAINT AGAINST JUDGE [REDACTED]

I undersigned, [REDACTED], hereby make a number charges directed jointly and/or separately against both Judge [REDACTED] [REDACTED]. The charges are related to a misdemeanor case, [REDACTED], where I was a defendant representing myself (in Pro-Se). I am NOT an attorney, but any objective observer would easily qualify me as being highly above average on matters of both education and intelligence. I do have a Ph.D. in Electrical Engineering and in Applied Mathematics and I had quite an honorable carrier both in high-technology and in teaching in prestigious Universities, like Harvard. There is NOT one bone of violence in my system, nor any history of violence in all my life (I am almost sixty years old.) The reason I felt obligated to stress those facts will be apparent forthwith.

The charges I am pressing against those two officers of the Court, can be summarized as a broad violation of my human rights as well as of my civil rights. It certainly includes conspiracy to deny me elementary justice and conspiracy to commit abuse of process, and doing so in a malicious and premeditated manner. It also includes providing a pseudo-legal framework to find me guilty on charges that had absolutely no merits, validity nor grounds. In short, I am accusing them both to conspire to convict me while KNOWING perfectly well that I was innocent of the quite ridiculous charges and that I broke NO laws. Legal experts can probably find more counts against those two individuals I am complaining about.

Here is a summary of the facts :

1) I had to sue in Small Claims Court an ex-friend of my family, named [REDACTED] as she refused to return to me two books that she borrowed, even after begging her for six (6) moths to do so. Immediately after, [REDACTED] did issue a "NO CONTACT ORDER" ordering me to have no contacts with her. It was certainly her right to do so, although not one iota of threats were used in my justified demands (mostly in form emails) for her to return my property. I had also no particular concern about that order, as I had absolutely no desire to contact her in any form or shape. I just wanted to get back my two belongings via the Small Claims Court system.

2) Shortly thereafter, I did receive a "CIVILE SUBPOENA" (TUCES DEUM) issued by Anne Oved, for the Small Claims Court case ! A copy of this subpoena is attached hereby as Appendix One. Notice the terms of the Subpoena : A warrant for my arrest will be issued if I do NOT respond. It further ORDERS me to send the requested material to HER ADDRESS. Notice also the absolute futility of issuing such

6/7/2006

a legal subpoena for a Small Claims Case of this magnitude ! There was no legal or otherwise logical necessity to issue such a Subpoena, except to ENTRAP me maliciously and in quite a sophisticated and premeditated way ! Recall that, in this Small Claims case, as in most Small Claim cases, there were NO ATTORNEYS involved. To my extreme surprise, as I did respond to the subpoena (by US mail and by email), providing the information she did request, [] filed a complaint charging me of violating the "No Contact Order", i.e. of "Interfering with a Judicial Process". Notice that there was never a contact before, nor after I did receive the subpoena. Notice also that my response was strictly responsive to the Small Claims matter. (My response is attached as Appendix Two).

3) After the complaint was filed, I called at least THREE (3) times the Office of the County Attorney and requested to speak to [], the prosecuting attorney. My purpose was to provide her with my evidence and my information. SHE NEVER RETURNED ANY OF MY PHONE CALLS ! Again, convinced about the silliness about the entire complaint and of the lack of any merits whatsoever, I did not bother to hire an attorney and went to Court accompanied only with my wife, [], who was also my witness in this case.

4) Unbeknown to me, on [] (the trial date) Judge [] entered the Court Room with a number of totally unjustified prejudices against my person and with the intent of HURTING me under the guise of dispensing justice. Indeed, I learned belatedly ([]) that she called for EXTRA-SECURITY in her Court Room, because of concerns about me, which concerns, not only they are totally unjustified but are quite idiotic and extremely prejudicial too. I learned that directly from Sheriff Deputy [], who I met by pure chance in the corridors of the Courthouse on []. I was surprised that he greeted me by my last name, and when I asked him how he knew it at all, he told me that he remembers me because he was called as an extra-security in the Court Room by Judge [] just because of the "threats" my person would represent ! Asked about why I should be considered a threat at all, Deputy Howell replied that "I was a big person" ! I cannot stress enough how much those "security concerns" of Judge [] are totally ridiculous. Although it is very difficult and awkward to defend my person about something negative and from acts I did never commit, I must stress that in Judge [] distorted and warped mind, I am already a violent and dangerous person. I am ready to provide anyone with more than hundred character references on this subject, from friends and colleagues who know me well. But my reality is crystal clear and objectively so : THERE IS NOT ONE VIOLENT BONE IN MY BODY !

5) The trial on that day ([]) was a complete MOCKERY OF JUSTICE. The Deputy County Attorney, [], under the pretense she was not provided with my evidences and defenses, tried to strike them totally. This totally unjust and brutal strategy was accepted and seconded by the Judge even before [] could complete here sentences. Recall that I did try to contact [] by at least making three attempts to reach her by phone and by leaving messages ! She never bothered contacting me back, but had no scruples to treat myself (a non- lawyer) in that ignominious way, by trying to exclude ALL MY DEFENSES from the trial. Her tries were

[]

joyfully approved by the Judge who, again, convicted me earlier in her mind long before the trial ever took place.. As a result, I could NOT introduce the CIVIL SUBPOENA that I did receive as evidence, nor the Judge would let my wife testify. My wife knew a lot about the entire case, as she was once an intimate friend of [] and her testimony would have brought a wealth of exculpatory evidence.

6) Even under those extremely trying circumstances, I did keep my cool and explained enough my position verbally to the Court. I trust that I was articulate enough and that my verbal defense was very quite clear. It would be to insult the intelligence of both [] and of Judge [] to assume that they did not understand the basic dynamics of this simple case and that, my innocence was crystal clear to both of them. Both of them perfectly understood (and even a child could understand that) that I did not do anything except to legally respond (and to the point) to a Subpoena that the [] herself had issued. The ultimate ethical duty of (even) the Prosecutor is not to prosecute a man she knows as being perfectly innocent and not to manufacture fictitious cases by creating a crime where there is none. The same principle applies, a fortiori, to the Judge. THEY DID BOTH VIOLATE THIS SOLEMN OATH AND THIS VERY BASIC PRINCIPLE OF LAW, and I do believe that they both participated in a despicable conspiracy to convict a TOTALLY INNOCENT PERSON, willfully ignoring the disculpatory evidence and being perfectly aware of my total innocence !

7) An appeal against the guilty verdict has been filed and this affair is costing me dearly, both in monies spent (as I had now to hire an attorney) and in emotional wounds inflicted on my person, which are not very different from wounds inflicted on a RAPE victim. Unfortunately, this is a case about LEGAL RAPE and the perpetrators are the conspiring Judge and the Prosecuting attorney. The proceedings of the (relatively short) trial are presently being obtained, and I will be glad to append it to this complaint when they become available.

8) As a further proof of the corruption of Judge [] I would offer the following : In her haste to declare me guilty, she did found me guilty in TWO counts, although evidence presented to the Court was on a SINGLE count only !

9) I will be glad to provide any authority any further details about my present complaint. One question though, remains unanswered in my mind : Obviously this entire case (a comedy if the results were not so dramatic) was triggered by [] the so-called victim in the complaint. Keeping in mind that this complaint is against the pair [] and Judge [] only, the question lingers in my mind as which one of the three [] deserves to be elected as being the best prototype for the role of Lady Macbeth in the famous Shakespearean drama !

Respectfully Submitted,

[]

[]

6/7/2006