

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-121

Complainant: No. 1309810054A

Judge: No. 1309810054B

ORDER

The Commission on Judicial Conduct reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judges. Although their decisions were controversial and widely reported by the press, there is no evidence that the judges violated the Code of Judicial Conduct. In the absence of bad faith or an abuse of judicial discretion, neither of which was present in this instance, the commission is prohibited from taking disciplinary action against judges for their decisions. Accordingly, the complaint is dismissed pursuant to Rule 23(a).

Dated: September 7, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judges on September 7, 2007.

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

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

FOR OFFICE USE ONLY

CJC-07-121

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 4-25-07

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

In case Judge told the plaintiff's lawyers he was not sure if he could override a commissioner's ruling on setting a bond on an illegal alien. Judge was shown proof that he could in fact overrule & rescind the defendant's bond. This decision was made days after the defendant killed because of driving extremely drunk.

In this case, the defendant was clearly in the U.S. illegally, as a matter of fact, admitted to the police she was illegal. Prop 100 passed last year is another fact - Judge has a responsibility to the people to uphold that law.

I understand that Judge has stepped down at this point possibly over allegations of a memo he sent out to court workers telling them not to ask inmates about their citizenship status. This would stop Prop 100 from serving its purpose - By doing this, Judge is telling court workers to avoid upholding Arizona constitution - Why would a judge act this way - Does "integrity" mean anything anymore? Doesn't sound like it -

I call for the immediate dismissal of Judge at any level of the justice system - His actions are ~~clearly~~ a poor example of the justice system.

(Attach additional sheets as needed)

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Commissioner set a bond of on the defendant who admitted she was in the U.S. illegally. Prop 100 says that if a person is in the U.S. illegally & commits a serious crime, a bond cannot be set. The consequences of her actions & that judgement could have been disastrous to the family. They have a right too and are entitled too the justice system working in accordance to "THE LAW".

Commissioner should be aware of all details related to any case presented before her. An innocent young man by the name of was tragically killed because of one person's terrible decision to drive extremely drunk - Why would she fall back on the fact that immigration does not work weekends so she was not sure or could not determine whether she was legal or not - Look at the details of the case!! Why take that chance of her posting bond & skipping town or the country - Where is the accountability?

This is not a situation for a judge to risk the defendant leaving the country - It just isn't worth it - The family are here legally.....grant them their rights!!

(Attach additional sheets as needed)

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Commissioner reduced the defendants bond to from in case The defendant is an illegal alien, therefore under Prop 100 that was passed into law & is part of the Arizona constitution states that any illegal alien that commits a serious crime cannot have a bond set.

In this case the defendant was extreme DUI & Killed an ~~innocent~~ innocent victim by the name of ! There was no question of the crime & how serious it is - There was no question of what the LAW states! The only question is of Commissioner action. Is he "above the law"? There is no question there either, the answer is NO!

Commissioner should be held accountable to uphold Arizona law -

(Attach additional sheets as needed)