

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-301

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Complainant: No. 1349810569A

Judge: No. 1349810569B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. Since the case involves jury proceedings, there was no preliminary hearing. The court made no untimely rulings.

The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: January 9, 2009.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on January 9, 2009.

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

CJC -08 -301

COMPLAINT AGAINST A JUDGE

Date: 11/21/09

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.

I am filing this complaint because on 11/21/09 I went to a status conference with a court appointed public defender. At the status conference I stated I had 2 court dates scheduled on the same day which was one was for custody, and the other for a preliminary hearing in a criminal case. I specifically asked my public defender what would she suggest to do. She stated she could re-schedule my preliminary hearing. I was also asking that my charges be dropped at the preliminary hearing. The public defender was not willing to do that. She stated no problem and that it could be rescheduled for 11/22/09. I also picked up a printout from the court that states the preliminary hearing will be rescheduled for 11/22/09. On 11/21/09 I arrived at the courts and had no public defender, and was told I was there for an arraignment. I then went to the clerk of courts and requested a public defender. I also filed a motion stating that I had no preliminary hearing. My new public defender is I specifically stated to her what had previously happened and that I wanted to try for dismissal at the preliminary hearing and that I thought my constitutional rights were being violated and that I had been given false information by my public defender. I attached a copy of my paper that showed the preliminary hearing was rescheduled to the motion. I did not hear back from Judge [Name] in a timely manner. I showed up for a pretrial today and my motion was denied. I believe my constitutional rights have been violated.