

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 09-330

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Complainant: No. 1351310715A

Judge: No. 1351310715B

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**ORDER**

The complainant alleged that the judge violated his constitutional rights by denying his request for a writ of habeas corpus. The commission reviewed the complaint and found no evidence of ethical misconduct on the part of the judge. Moreover, the allegation raised a legal issue that the commission has no authority to resolve. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: February 26, 2010.

FOR THE COMMISSION

    /s\ Keith Stott      
Executive Director

Copies of this order were mailed to the complainant and the judge on February 26, 2010.

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

DEC 03 2009

COMMISSION ON JUDICIAL CONDUCT

1501 W. WASHINGTON STE 229

PHOENIX, AZ., 85007

RE: CONDUCT OF JUDGE

DEAR COMMISSION,

PLEASE CONSIDER THIS MY FORMAL COMPLAINT AGAINST JUDGE I HAVE ENCLOSED JUDGE  
RESPONSE TO MY APPLICATION FOR WRIT OF HABEAS CORPUS. EXHIBIT 1.

JUDGE STATES THE FOLLOWING: "... HAVING REVIEWED THE APPLICABLE STATUES, THE COURT DETERMINES THAT THIS COURT LACKS THE JURISDICTION. APPLICATIONS FOR WRITS OF HABEUS CORPUT MUST BE FILED IN EITHER THE SUPERIOR COURT OR THE ARIZONA SUPREME COURT. BASED THEREON, DEFENDANT'S APPLICATION IS DISMISSED WITHOUT PREJUDICE."

ENCLOSED IS EXHIBIT 2 BEING A PHOTOCOPY OF THE ARIZONA REVISED STATUE SECTION 13 – 4123, WHICH STATES THE FOLLOWING: "A. THE WRIT OF HABEUS CORPUS MAY BE GRANTED:

1. BY THE SUPREME COURT OR ANY JUDGE THEREOF. WHEN SO ISSUED IT MAY BE MADE RETURNABLE BEFORE THE COURT OR ANY JUDGE THEREOF, OR BEFORE ANY SUPERIOR COURT OR ANY JUDGE THERE OF. " (EMPHASIS ADDED)

THE DILEMA IS THAT JUDGE            IS EITHER IGNORANT OF THE LAW AND IN VIOLATION OF THE MODEL CODE OF JUDICIAL CONDUCT – CANON 3 B(2) REQUIRES JUDGES TO MAINTAIN PROFESSIONAL COMPETENCE IN THE LAW OR HIS IS A WILLFUL AND INTENTIONAL LIAR.            EXHIBIT 3

JUDGE            VIOLATED ONE OF THE MOST SACRED LAWS OF THE LAND. NOT IS IT ONLY A VIOLATION OF THE ARIZONA REVISED STATUTES BUT, ALSO A GRAVE VIOLATION OF MY FEDERAL CONSITUTIONAL RIGHTS TO FAIR AND HONEST TRIAL.

JUDGE            IS NOT FIT TO BE A JUDGE PERIOD. THE SAME WOULD ALSO APPLY TO HIS ABILITIES AS AN ATTORNEY. HE NEEDS TO BE REMOVED FROM THE JUDICIAL SYSTEM.

RESPECTJULLY SUBMITTED:

DATED: 2 December 2009.