

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-030

Complainant: No. 1385010703A

Judge: No. 1385010703B

ORDER

The complainant alleged a superior court commissioner allowed his prosecution to go forward in violation of double jeopardy and failed to follow the recommendation of his probation officer. The commission reviewed the complaint and found no ethical misconduct on the part of the judge. The issues raised involve legal and procedural matters outside the jurisdiction of the commission. The commission is not a court and cannot review evidence to determine whether or not a judge's decision is correct. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 19, 2010.

FOR THE COMMISSION

\s\ Keith Stott _____
Executive Director

Copies of this order were mailed to the complainant and the judge on April 19, 2010.

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

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FOR OFFICE USE ONLY

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

2010-030

COMPLAINT AGAINST A JUDGE

Your Name: _____ Judge's Name: _____ Date: 12/30/2009

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.

HAPPY HOLIDAYS TO EVERYONE AT THIS COMMISSION: MY NAME IS
THIS COMPLAINT IS DIRECTLY REGARDING THE FOLLOWING
1) WILFUL MISCONDUCT OF OFFICER 2) A VIOLATION OF THE
JUDICIAL CONDUCT CODE. 3) WILLFUL FAILURE TO PERFORM DUTIES AS
INDICATED IN THE COMMISSIONS SCOPE OF AUTHORITY! ON 12/23/2009
AT APPROX. 09:30 HRS I WAS IN DOWNTOWN PHOENIX PROBATION COURT
WHERE JUDGE _____ WAS APPARENTLY A STAND-
IN FOR THE REGULAR SITTING JUDGE. I HAD BEEN EXTRADICTED
FROM MARICOPA COUNTY BACK TO THE STATE OF CALIFORNIA
ON ANOTHER PAROLE MATTER. AFTER BEING IN A CALIFORNIA
PRISON, FROM A STATE EXTRADITION ORDER; THE STATE OF
ARIZONA BROUGHT ME BACK AND CHARGED ME WITH PROBATION
VIOLATION, WHICH HAS TO BE MISCONDUCT ON AT LEAST THE
PROSECUTION AS DOUBLE JEOPARDY, AND ON THIS JUDGE FOR
KNOWING IT AND DOING NOTHING TO STOP IT. DURING COURT,
MY PROBATION OFFICER WAS CALLED AND TOLD THE DA &
JUDGE _____ THAT IT WAS HIS INTENTION TO HAVE
WHATEVER SENTENCE I RECEIVED TO RUN CONCURRENT WITH MY TIME
I AM NOW SERVING IN CALIFORNIA. JUDGE _____ SAID
IN OPEN COURT AND ON THE COURT RECORD THAT "THIS IS NOT
CALIFORNIA" AND GAVE ME 9 YRS WHEN MY PLEA WAS FOR ONLY
3.25 YRS. MY POINT IS HER REMARK AND SUBSEQUENT ACTION
IS A VIOLATION OF THE JUDICIAL CONDUCT CODE ALONG WITH A CLEAR
AND WILFUL FAILURE TO PERFORM JUDICIAL DUTIES! THANK YOU!

(Attach additional sheets as needed.)