

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-184

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Complainant: No. 1373210883A

Judge: No. 1373210883B

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**ORDER**

The complainant alleged that two supreme court justices should have disqualified themselves from ruling on his petition for review due to various conflicts of interest. The commission found no evidence of ethical misconduct on the part of either justice. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 15, 2010

FOR THE COMMISSION

/s/ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on September 15, 2010.

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

## COMPLAINT AGAINST A JUDGE

Your name:

Judge's name

Date; 7/17/10

Arizona Solicitor General **under Janet Napolitano** when she was **Arizona Attorney General**, was **her counsel** during the gubernatorial campaign and represented her as Governor with the assistance of Tim Nelson and Nicole Davis, **General Counsels for the Office of the Governor**.

He had the attached Professional Biography, a Website by Lewis & Rocca. His specialty was working internally in the Ninth Circuit Court of Appeals with the Staff Attorneys, who do the Research and write the Opinions.

He was counsel for the Defendant, Janet Napolitano, named in the Lawsuit and therefore had the Ethical Responsibility to have **RECUSED HIMSELF**.

**RULES OF THE SUPREME COURT      CODE OF JUDICIAL CONDUCT****Canon 1.    A Judge Shall Uphold the Integrity  
and Independence of the Judiciary**

He shall not be biased in favor of the State of Arizona or any other Defendant.

**Canon 2. B** A judge shall not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment.

**Canon 3.    A Judge Shall Perform the Duties of Judicial Office  
Impartially and Diligently**

"(5) A judge shall perform judicial duties without bias or prejudice."

**VIOLATED THESE CANONS**

July 17, 2010

Copy: Rachele M. Resnick, Clerks Office, Arizona Supreme Court,  
402 State Courts Building, 1501 W. Washington St., Phoenix, AZ 85007

COMPLAINT AGAINST A JUDGE

Your name: Judge's name  
Date; 7/17/10

was Presiding Judge of the Court of Appeals – Division Two  
when the Court served Hard Copies of the Memorandum-Decision of  
September 19, 2008 to the four State Defense Lawyers:

- Eileen Dennis GilBride, Arizona State Defense Attorney;
- Daniel P. Shaack, Assistant Arizona Attorney General;
- Richard P. Broder, Assistant Arizona Attorney General;
- James M. Wilkes Assistant Pima County Prosecutor.

But NOT to the Plaintiff Pro se,  
NOT until December 10, 2008.

There are no Second Class Citizens in the State of Arizona.

was Presiding Judge of the Court of Appeals – Division Two  
when the Court denied Appeal to the Arizona Supreme Court;  
Then he leaps to the Arizona Supreme Court and sits in Judgment on a Decision  
made by the Judges of the Court of Appeals – Division Two and himself.  
and therefore had the Ethical Responsibility to have **RECUSED HIMSELF.**

**RULES OF THE SUPREME COURT CODE OF JUDICIAL CONDUCT**

**Canon 1. A Judge Shall Uphold the Integrity  
and Independence of the Judiciary**

He should not be biased in favor of the State of Arizona or himself.

**Canon 2. B** A judge shall not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment.

**Canon 3. A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently**

“(5) A judge shall perform judicial duties without bias or prejudice.”

**VIOLATED THESE CANONS**

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