

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-245

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Complainant: No. 1401610049

Judge: No. 1401610049

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**ORDER**

The complainant alleged that he was convicted of speeding despite the fact that no evidence was present. The commission reviewed the allegations and found no ethical misconduct on the part of the judge. The complainant apparently disagrees with the laws and rules that the judge followed. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: November 19, 2010

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

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

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

TO: State of Arizona, Commission on Judicial Conduct

FROM: ref (All correspondence in this matter)  
Judge :

I realize that the Commission is more concerned with none legal matters but there is a lesson to be learned from the short cut special procedures used for radar speed enforcement. Even though radar enforcement is now history here in Arizona it should of concern to you because it took away citizens constitutional rights, gave judges and the courts iron clad power and stole from unwary motorists. My case demonstrates the problem and how I wasted a lot of time and about \$ in court costs including the appeal. Now I know why my attorney refused to represent me "as futile" and my attorney friends laughed when I said that I could get justice in my special case. The following is a brief summary to demonstrate the problems.

The justice trial record (video recording) clearly shows that Judge disallowed my witness (2 persons) affidavit and also the testimony/affidavit presented by on behalf of the State of Arizona. apparently worked for the radar enforcement contractor but was not an eyewitness at time of the alleged speeding violation and he failed to produce those persons as witnesses at court who had signed the radar and signage evidence affidavit form that he presented in court. reviewed a CD in open court but failed to produce any photographic evidence of speed limit or restricted speed zone signs for the time/place of the alleged violation. **Therefore there was no evidence of any speed violation presented at trial by the State.**

The Judge's assessment of responsibility to Defendant was solely based upon a single speed limit sign, as testified to by Defendant, close to the radar speed measurement position without a lead in restrictive speed warning sign required by State statute (the only 55mph sign observed by Defendant was posted off the roadway shoulder downhill close to the radar van). The Judge used Plaintiff's honest testimony but failed to take into consideration that the sign was not legally posted per Arizona State regulations as required by State statute provided and testified to by Defendant. Furthermore, the Judge did not take into account the fact that it was physically impossible to reduce speed due to nearby same speed traffic from the 65mph allowed for non-posted roadways per state regulations as presented/testified by Defendant.

Appellee's Response Memorandum was received from .

The arguments presented in that document **quoted inadmissible hearsay testimony and incorrectly stated that photographic and speed signage affidavit evidence was allowed by the judge.** Furthermore, there was no response to Defendants appeal statement that my independent witness testified in court affirming my testimony that signs were not posted per state regulation. The Record Appeal Rule /Remand dated denying the appeal again shows evidence that the court video record was not reviewed (or if reviewed the facts ignored). The Deputy County Attorney's obviously did not take the time to address all the evidence for this unique situation where signs had apparently been temporarily removed for many miles for shoulder grading. It is apparent that she simply used the same form/arguments from similar appeals but only for the selective issues that favored appeal denial. **This whole case from denial of my initial written request for dismissal to the incorrect court date (wrong year) to no appearance allowed appeal to multiple court errors is a travesty of judicial procedures.**