

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 12-078

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Complainant: No. 1438610324A

Judge: No. 1438610324B

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**ORDER**

The complainant alleged that a superior court judge violated his due process rights by refusing to remove a juror, and the judge demonstrated favoritism toward the prosecutor.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to investigate the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 1, 2012.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on June 1, 2012.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY****2012-078****COMPLAINT AGAINST A JUDGE****Your name:****Judge's name:****Date:** 3-18-12

**Instructions:** You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

From The Day of Jury Selection up To The Trial itself, This Judge Acted with extreme Prejudice And Bias And Impropriety in my case. I Know That There is A Level of Advocacy Between The Defense Counsel And The Prosecutors Because They work Together all The Time To "make Deals". But The Judges Are supposed To be fair And impartial in All cases Baring even A Hint of Bias or impropriety in Any case. I assert That This Judge Had full Knowledge And in fact was Responsible in part for The violation of my constitutional Rights To Due process And A fair trial by An impartial Jury. The record will reflect THAT This Judge is Guilty of Violating my 14<sup>th</sup> Amend. Constitutional Due process of Law And is Also in Violation of 28 U.S.C. 1343(a)(2) AS Being A person WHO HAS Knowledge THAT my rights are And were being violated, Having The power to correct or prevent The wrong being Done to me, Yet failing to do so! 28 U.S.C. 1343(a)(2.) From The very start of The proceedings This Judge Aided in prejudicing my case which caused me And my family An irreparable Harm. At Jury Selection It was Brought To The Judges Attention THAT one of The Jury members was in fact A corrections officer... A "Lieutenant" for The Arizona Dept of Corrections And Had Been Reported By Both Defendants To Their Attorney's AS Having A willful And A wanton And express intent to punish Because The corrections officer/Juror was "Glaring" At us, THAT Juror Should Have At The very least been removed And replaced in Accordance with The 6<sup>th</sup> And 14<sup>th</sup> Amendments of The United States Constitution And LAWS.

(Continued)

(Attach additional sheets as needed)

Page 2.

(continued)

1. Additionally, it should be noted THAT when THIS fact  
2. WAS presented TO THIS Judge, SHE seemed only to be  
3. worried ABOUT THE Time on THE clock AND not my  
4. constitutional rights! I felt like SHE (THE Judge)  
5. WAS Acting A Bit Like "Alice Down THE Rabbit Hole".  
6. I'm late, I'm late? ALSO, it would appear THAT THIS  
7. Judge SHOWED A Serious Level of Favorability Tward's  
8. THE proSeutor in THIS case AND THIS Judge WAS of  
9. A culpable State of mind THroughout THE entire  
10. criminal Justice process. THE other Defendant who  
11. WAS in THIS case Tried TO offer AN Admission of  
12. Guilt THrough A Sworn Affidavit AS TO my Innocence  
13. However THE Judge Refused TO Acquiesce TO even READ  
14. or accept SAID Document. I AM A BLACK MAN WHO  
15. WAS Already Serving Time in THE ARIZONA Dep't of  
16. Corrections on UNrelated CHarges. AND if not for  
17. THIS Serious manifest Injustice, I would Have  
18. Been released from prison ON 8-19-2011. But it would  
19. appear THAT THIS Judge presumed my Guilt Before  
20. A finding or Admission WAS made! I AM SAddened  
21. AND even Heartbroken THAT A Superior Court Judge  
22. could Hold so Little VALUE or even contempt for  
23. THE rule of Law. THIS Judge Knowingly, willfully  
24. and intentionally Allowed me TO be convicted  
25. without THE state offering Adiquacy of Proof  
26. or expressing Due Dilligence in doing ANY Fact  
27. Finding WHATSOEVER!

(continued)

Page 3.



(continued)

1. The Judge AND The State HAS obligations... To  
2. uphold AND Defend THE Constitution AND LAWS of  
3. THE United States AND THE State of ARIZONA in  
4. WHICH They reside. My conviction Rested Solely  
5. ON A "Text message" THAT WAS Admitted into THE  
6. evidence BUT SHOULD HAVE BEEN excluded AS "Hearsay".  
7. THE Supreme Court's previous rulings ON SUCH  
8. Issues were Brought To THE Judges Attention,  
9. BUT THIS Judge seemed TO HAVE A Strong Desire  
10. TO Circumvent THE Higher Court's previous Rulings  
11. AS THOUGH it WAS non-existent? THE State or  
12. THE States Attorney never provided ANY Record of  
13. Fact finding nor did THEY offer ANY proof AS TO  
14. THE "Authenticity" of or THE "Origin" of THE Text  
15. message? THE "person" who signed THAT Text Does  
16. not exist AND I contend is AN "Artificial created  
17. Being of THE State". There is ALSO A Question of A  
18. Broken CHAIN of custody WHICH LEAVES Room for Tampering  
19. with Evidence! There is NO Question AS TO my  
20. Innocence in THIS matter, SO TO Argue THAT point  
21. any further would be moot! BUT THE Serious AND  
22. Deliberate misconduct By THE Judge in THIS case is  
23. Appalling TO say THE very least. I ALSO want TO  
24. know WHO, AND AT WHAT Stage of THE proceeding  
25. THE Court Reporter WAS instructed not TO Record  
26. "Vair Dire"? THIS begs THE Question of WHAT  
27. WAS SAID TO THE Jury in THIS case?

28.



(continued)

1. "Voor Dire", is AN important part of Any Jury trial  
2. Proceeding AND it Allows one To Review what  
3. WAS SAID To THE Jury By THE Judge, Prosecutor  
4. AND even Defense Counsel in A Jury trial So THAT  
5. THE interest of Justice is maintained AND THERE IS  
6. NO room for "Jury Tampering" or ANY "misleading"  
7. of THAT Jury, "Voor Dire" is AN important part  
8. of A Jury trial Because it Keeps Everybody Honest  
9. So To speak. THAT is why it is included in A  
10. "Request for preparation of Record's" form on A  
11. Rule 32. Proceeding. So, my Question now is  
12. who is Responsible for Instructing THE court  
13. Reporter To Ommitt THE "Voor Dire" from THE  
14. Transcription of THIS Jury trial? AND what  
15. ever Happened To - "Rights of THE Accused,"  
16. "Burden of proof," AND "Quantified probability  
17. Estimates"? WHAT Happend To THE Rule of  
18. LAW? I Know THAT THE Commission HAS NO Ability  
19. To Overturn A ~~cont~~ courts Decision, But I want  
20. my Statement To HAVE A voice AND for A Record To  
21. Reflect, THAT I maintain my innocence AS To these  
22. particular matters! I still believe in THE LAW. I  
23. Believe in THE criminal Justice process... But You  
24. Judges Are Supposed To be finders of fact,  
25. of Truth AND upHolders of THE LAW. It is  
26. what Allows US citizens To call Judges  
27. Your Honor... With Honor!

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Page 5,