

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 12-122

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Complainant: No. 1436910908A

Judge: No. 1436910908B

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**ORDER**

The complainant alleged that a superior court commissioner failed to comply with the rules when she conducted his arraignment.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 and the related minute entries mentioned in the complaint, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the commissioner's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 26, 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 26, 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****2012-122****COMPLAINT AGAINST A JUDGE**

Your Name:

Judge's Name:

Date: 3/29/12

**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.

I AM FILING THIS COMPLAINT AGAINST JUDGE  
BECAUSE I THINK IT IS EXTREMELY STRANGE TO ME  
NOT TO BE ABLE TO UNDERSTAND NONE OF MY CHARGES IM ACCUSED  
OF. I FEEL IF SHE HAS THAT TALENT, AND ABILITY TO SIT THERE AND  
RULE LIKE SOME TYPE OF GOD, THEN SHE SHOULD SEE EVERYTHING  
AND READ IN MY REPORTS WHEN SOMETHING IN IT DOESNT SOUND  
NORMAL. EVERYTHING IN THIS POLICE REPORT IS FRIVILIOUS, AN I  
CANT OVERSTAND HOW THE APPOINTMENT JUDGE  
E.D.C. COULDNT HAVE DONE A BETTER JOB ON MY FAKE CASE.

INITIALLY ALL THESE MATTERS HAVE BEEN BROUGHT UP TO THE  
SURFACE OUT OF THE DARK. SO IT WONT BE NO EXCUSES.

NO EXCUSES THAT I DIDNT ARISE THIS; OR ARISE THAT ISSUE--  
ON A TIMELY MATTER.

EACH ONE OF THESE JUDGES INVOLVED. PLAYS A ROLE OF A  
XENOPHOBIA AGAINST ME. ON STEREO-TYPING ME ON HOW THEY  
CAN ASSUME MY CRIMINAL BACKGROUND IS IN THE PAST. BUT  
ULTIMATELY CANT BE BIAS OR PREDUDICE, AND HARASS ME DUE TO MY  
SOCIOECONOMICAL STATUS ON THINGS THAT I HAVE BEEN INVOLVED OR  
ENCOUNTERED WITH IN THE PAST. (RULE 2.3) CODE OF JUDICIAL CONDUCT

TECHNICALLY SPEAKING NOBODY HAS JURISDICTION OVER ME, BECAUSE OF THE OFFICER INVOLVED NEVER ARRESTED ME FOR A THEFT.

LEGALLY FROM A CIVIL STANDPOINT, MY UNITED STATES CONSTITUTION AMENDMENTS HAVE BEEN VIOLATED UNDER THE 4TH AND 14TH AMENDMENTS, WHICH ACCORDING TO ARTICLE 6 SEC 26 I'M MAKING THIS JUDGE AWARE.

JUDGE ALSO PRACTICED LAW BEHIND THE BENCH, AND I WANT THE EXECUTIVE DIRECTOR TO TAKE MANDATORY JUDICIAL NOTICE OF ADJUDICATIVE FACTS PURSUANT TO THE ARIZONA RULES OF EVIDENCE RULE 201(A)(B)(D) THIS ADJUDICATIVE FACT BEING THAT HAS NOT BEEN ARRANGED. ACCORDING TO RULES OF CRIMINAL PROCEDURES RULE 14.3, AND THEREFORE NOT ARRANGED LIKE AS: 9 ARIZONA APP. 149 456 P.2d 115. SINCE RULES OF CRIMINAL PROCEDURES HAVE SOME POWER AND EFFECT AS STATUTES, BASIC RULES OF STATUTORY CONSTRUCTION REQUIRE COURT OF APPEALS BEFORE DECLARING RULE INVALID TO BE SATISFIED THAT THE RULE IS UNCONSTITUTIONAL AND EVERY INTENDMENT MUST BE INDULGED IN FAVOR OF VALIDITY OF RULE. AN ARRAINGEMENT IN ACCORDANCE WITH RULE 14.3 IS INTENDED TO BE CONSTITUTIONAL SAFEGUARD FOR DUE PROCESS. THIS WHEN THERE IS FAILURE TO OBSERVE THIS SAFEGUARD ITS AMOUNTS TO DENIAL OF DUE PROCESS, AND THUS DEPRIVES THE COURT OF JURISDICTION.

AN ARRAINGEMENT SHALL BE CONDUCTED IN OPEN COURT, AND SHALL CONSIST OF READING THE INDICTMENT OR INFORMATION TO THE DEFENDANT, OR STATING TO HIM THE SUBSTANCE OF THE CHARGE, AND CALLING ON HIM TO PLEAD THERE TO 170 F-2ND 739. AT DEFENDANTS ARRAINGEMENT THE REQUIRED CONSTITUTIONAL SAFEGUARD WAS NOT OBSERVED. I WAS NOT EVEN ALLOWED TO ENTER INTO A PLEA OR ASK QUESTIONS. RULE 14.3 ARIZONA RULES OF CRIMINAL PROCEDURES PROCEEDING AT ARRAINGEMENT SAYS THAT THE PLEA SHALL COME FROM THE DEFENDANT OR DEFENDANTS COUNSEL WHICH ALSO DID NOT HAPPEN.

BY DOING THIS DEFENDANT HAS BEEN DEPRIVED OF HIS 6TH AMENDMENT TO THE U.S. CONSTITUTION TO BE INFORMED OF

OF THE NATURE, AND CAUSE OF THE ACCUSATIONS AGAINST HIM. THIS DEPRIVING DEFENDANT OF DUE PROCESS OF LAW. DEFENDANT WOULD ALSO LIKE THE COURT TO TAKE JUDICIAL NOTICE OF THE FACT THAT

HAS NOT BEEN ARRAIGNED. BUT IN FACT RECEIVED A 12.10 NOT GUILTY HEARING. THE INFORMATION THAT SUPPORTS THIS FACT IS DEFENDANTS NOT GUILTY ARRAIGNMENT NOTICE. THESE NOTICES PROVES WITHOUT THE COURT CAN READ THIS THEMSELVES IN THE AZ. RULES OF CRIMINAL PROCEDURES. AS THESE RULES ARE OUTLINED AND DEFINED IN THEM.

THE ISSUE WITH THIS IS A 12.10 CAN ONLY BE PROVIDED BY RULE 14(D) WHICH IS AN ORDER OF THE PRESIDING JUDGE THAT WOULD SUSPEND RULE 14 ALTOGETHER IN

AFTER REQUESTING THIS ORDER, AND RESEARCHING THE MATTER I FOUND OUT THAT IT DOES NOT EXIST. IN THAT INSTANCE IVE REALIZED I RECEIVED AN UNLAWFUL UNJUSTIFIABLE 12.10 HEARING - AND THEREFOR NOT ARRAIGNED. WHICH WOULD OBVIOUSLY VIOLATE 14.1(A) OF THE ARIZONA RULES OF PROCEDURES. SPECIFYING WHEN ARRAIGNMENT SHOULD BE HELD.

THIS PROCEDURE WOULD BE IN VIOLATION TO RULE 36 LOCAL RULES ALSO. STIPULATING THAT ANY CHANGE OF PROCEDURE WOULD HAVE TO BE APPROVED AMENDMENTS, AND MADE PUBLIC IN WRITING (SINCE THE JANUARY 1ST 2010 AMENDMENTS) THIS AND FACT - THE SUPERIOR COURT IS ACTING BEYOND ITS AUTHORITY. THIS DEPRIVING THIS COURT OF PERSONAL JURISDICTION. JURISDICTION IS OF TWO KINDS - SUBJECT MATTER / PERSONAL. AND BOTH MUST CONCUR OR JUDGEMENT IS VOID. (297 ILL. 491 130 N.E. 787) THERE IS NO DISCRETION TO IGNORE LACK OF JURISDICTION (JOWCE V. U.S. 474 F.2d. 215) FOR THE REASONS STATED HEREIN.



A JUDGE MUST BE ACTING WITHIN JURISDICTION AS TO SUBJECT MATTER JURISDICTION. AND PERSONAL TO BE ENTITLED TO IMMUNITY FOR CIVIL ACTION FOR HIS ACTS (DAVIS V. BARRIS 51 ARIZ. 220 75 P2d 689)

AN ARRAIGNMENT IN ACCORDANCE WITH RULE 14.3 OF THE RULES OF CRIMINAL PROCEDURE IS INTENDED TO BE A SAFEGUARD FOR DUE PROCESS. AND WHEN THERE IS A FAILURE TO OBSERVE THIS SAFEGUARD IT AMOUNTS TO DUE PROCESS OF THE LAW.