

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-201

Complainant: No. 1447800299A

Judge: No. 1447800299B

ORDER

The complainant alleged a superior court judge acted without lawful authority in his case because she did not file the required declarations to be retained in office or oaths of office.

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 complainant's allegations involve legal issues that are not within the jurisdiction of the commission to consider. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: August 31, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on August 31, 2012.

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

STATEMENT OF FACTS

Your Name: _____

Judges' Name: _____

Date: 7-18-12

On the 13th day of November 1992, _____ was appointed to the office of Maricopa County Superior Court Judge, at which time in accordance with the law she did take an "oath of office". Upon termination of her appointment - which would have been for 2 years or the remainder of the retiring judge's term for who she replaced - she would have to retake her oath before entering into the duties of the next term of office (see Points and Authorities [from hereon PTA] Point 1). As of 2007 the only oath of record - for _____ was filed in 1992 on the 13th of November. As a result of her failure to subscribe to a new "oath of office", her office was deemed vacant (see PTA Point 2). Wherefore, continuing to stay in office, knowing her term had expired made her a usurper and a trespasser to that office (see PTA Point 3).

Failed to file a "Declaration of her Desire to be retained in office which also made her office vacant (see PTA Point 4). She also had never been confirmed by the Senate, making her office vacant, (see PTA Point 5) and her a trespasser with no lawful authority to pass sentence over myself or anyone else for a very long while before she retired.

I bring this complaint before you now, as I filed a Habeas Corpus on the subject and they ruled that because it was a state law that caused the violation I was not eligible for relief, I would have to seek relief under the state. I did not know about this commission until recently. But, I can tell you this, the aforementioned issues, the implications of which are huge, is systemic, the rules put into place by the people to keep the judiciary in check once written, being disregarded, by other judges as well.

Thank you for your time