

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 12-244

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Complainant: No. 1450710459A

Judge: No. 1450710459B

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**ORDER**

The complainant alleged that a superior court judge forced him to go to trial even though the evidence presented to the grand jury was false. He further alleged the judge did not understand or follow the law and allowed the prosecutor to engage in prosecutorial misconduct.

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 and several minute entries available online, 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 review the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: October 4, 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 October 4, 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****2012-244****COMPLAINT AGAINST A JUDGE**

Your name:

Judge's name:

Date: <sup>23</sup>8-12-

**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.

~~Because~~ Because I'm not rich, white, or politically connected. I was treated AS A 3<sup>rd</sup> Class citizen. I found that the Rules of Court & The Rule of Law does not apply to me. Judge forced me to trial even though she knew that all evidence presented to Grand Jury was false. Yet to protect ~~the~~ both Superior Court Judges now allowed their misconduct as prosecutors to go unchecked. Judge KNOWINGLY!!! not only presented a Affidavit that he wrote himself & had Mr. A witness for the Defense but was also false. Which Judge reversed my conviction. Prosecutorial Misconduct & Police Malfeasance were allowed through out the entire proceedings. Prosecutors failure to act accordingly constitutes misconduct by Az. Courts. The Commission need only to review my case to see that All I Am stating is true AS well AS factual the Affidavit which Judge wrote was presented by in approx Nov. 2008 even after meeting w/ where he found out phone records presented at trial & to Grand Jury were false. Judge knowledge of the Law is questionable on March 12, 2010 at 4001 Hearing was the first sign that she didn't know the Law or follow the Rules of Court or Letter of the Law. see Motion for Change of Judge filed by Sept. 16, 2010 Judge allowed Mr. & Mr. to set away Prosecutorial Misconduct w/out punishment even after being taken off the case. See May 13, 2010 see May 7, 2010 allowed state to disregard Court Orders & Intentionally denied to issue sanctions against State through out proceedings. On August 20, 2010 was the 2<sup>nd</sup>

(Attach additional sheets as needed)

totally disregard of my Constitutionally protected Rights. Her knowledge of the law is questionable. At the time my case was reversed in Nov. of 2008. She was duty bound to ~~re~~ remand my case back to the Grand Jury. Especially since the indictment as well as the conviction were predicated upon perjury as well as false evidence. Yet she refused to do so. Because my Appeal Attorney had to withdraw since I couldn't pay any more money to represent me. Which left me in the position of having to represent myself. I did manage to come up w/ an additional (\$2000<sup>00</sup>) for a motion to dismiss for prosecutorial misconduct, fraudulent Grand Jury indictment, & other issues. (See Record on Appeal) But once again Judge refused to rule on much less hear motion. I did attempt to point out the Misconduct of Prosecutors in violation of Rule 42 of The Arizona Rules of Professional Conduct. Which she didn't address I was later vindicated by when she managed to get both Prosecutors taken off the Case for Prosecutorial Misconduct. (See R.O.A) But to date "NO" charges have been filed by the Judge against these prosecutors. I believe had I been white only then would she have done something. And since is a Mormon as is Judge nothing will EVER be done.

It cannot be said That Judge has not been BIAS + prejudice against me. This Commission need only see the Special Action filed Sept. 14, 2010 which the Court of Appeals refused Jurisdiction so that they could protect Judge, Judge. I know that regardless of the Letter of The Law, And the Rules of Court. To protect their brethren no Judge will rule against another Judge. Especially for A 3rd Class Citizen such as myself. In Arizona people of Color, have no rights see SB1070



Senator

statements while drafting

E-MAILS

ect.

&amp; several others in

Political Positions. "Since I Am not RICH, White, Politically Connected, NOTHING! will EVER be done. I also know that Judge was BIAS AGAINST me because filed A "Change of Judge," motion (Sept. 16, 2010) in which she painted out several points of Contention. It cannot be said that the "Appearance of Impropriety," ~~was~~ was there, & she refused to take her self off the case so that she could punish me for filings by Who was only trying to Allow me A FAIR TRIAL!"

This Commission needs to look at, 404 Hearings see ~~May~~ March 10, 2010, See May 13, 2010, May 7, 2010. See Nov. 2008, 8-20-10 & 8-26-10. In fact I know that the State is doing everything possible to protect these Judges & All prosecutors involved in this Case. My current Court Appointed Counsel A Also is working w/ the State to ensure this False Conviction is upheld. I know this since I've not been able to contact him by Phone or mail since April (Approx.) of 2012 to now. See ADOC Phone logs & request, & Legal Mail Logs. Letters so UNANSWERED, COIII's & can verify. Legal Call request so UNANSWERED.

Judge

refused to sanction All State Prosecutor

for Misconduct. Refused to sanction them for violation Court orders & Rulings. She was Also Aware that threatened Defense witness on CD by Phx. Police Detective on 8-25-10. In fact All Defence objection that



didn't favor the State, were ruled ~~Against~~, All Arguments that didn't favor the State were denied, So how can it be said I was Afforded a fair trial? I know there is no way any type for investigation by This Commission will be done. I've learned that The Injustice System in Arizona protects each other. There is no Evidence that points to me or the State would've presented it At Trial. The State destroyed evidence I.E. Bloody finger Prints, Video Tapes, but Judge refused both instruction, + because the Jury wasn't going to be Allowed to know About this evidence. I was the one who presented DNA + Finger Prints not the State. I was the one who presented Phone records which Judge Allowed the State to twist to suit there case. She didn't correct the states misrepresentation of the Records.

By her own words she has stated that "The Truth is The Truth," showing prejudice & Bias Against me & favoritism for Phx. Police & The State. Even though the record has ~~not~~ Detective Clearly violations of Discovery & Disclosure of Evidence. Also was Allowed to clean up Detective Lairds malfeasance, Perjury ~~and~~ while on the ~~State~~ Stand. The State never disclosed the material regarding Detective Lairds firings by Civilian Review ~~Board~~ Board in 1985 for perjury fraud & suppression of Evidence.

I Am documenting this for the purpose of showing that there is something wrong w/ the so called Justice System in Arizona. I hope that I can show the News Media how if you are not White in Arizona how you are treated in the.

court rooms. And all the other investigative entities to protect the Citizens from the Abuse of Power by Police, Prosecutors & how Judges like ~~to~~ not only Allow it but encourage it especially to protect other Judges position on the Bench.  
Sincerely