

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-330

Judge:	No. 1457110613A
Complainant:	No. 1457110613B

ORDER

The complainant alleged a superior court judge failed to honor the sentence she stated on the record during a sentencing hearing.

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 all of the information provided by the complainant, the judge's response, and the transcript of the sentencing hearing, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: May 24, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on May 24, 2013

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

My most disturbing issue in this matter is in regard to court on September 26, 2012, [redacted] agreed to honoring [redacted] time served that he had done previously to go towards the sentencing she had given him. She asked [redacted] Who was representing the state in this matter if he had any objections. He did not object to this. She Told [redacted] to submit the amount of days he had served to her, he did so in a timely fashion. It was in fact 71 days that [redacted] had served in The Maricopa Jail System. [redacted] his family, his lawyer and loved ones knew it was somewhere in the 60 plus day range. When [redacted] made her ruling we respected her decision and counted on her doing as she said she would and crediting his time served. I ask you if a judge's word is not in good faith or can be changed because "she feels like it" with no explanation then where is there moral or integrity in this courtroom or in this Judge at all? [redacted] has asked her repeatedly for answers and explanations on this matter, her answer is as simple and as cold as MOTION DENIED.

My next issue is the statement [redacted] made at sentencing about the discussion her and the honorable Judge [redacted] had about this case beforehand. [redacted] boasted about their conversation in a beauty salon claiming they had a long talk about this case. This is very unprofessional, and should not have happened. If A juror is not allowed to discuss a case outside of court, then how is a judge allowed to do so? I strongly believe it is not acceptable for the integrity of the court or the Judge's jaded perception of [redacted] This should as well go unnoticed that the same [redacted] wrote a slandering 9 page article in the [redacted] issue referring to [redacted] as an [redacted] and gave many false stories portraying herself as a victim when in fact she is on probation in this case as well.

The final matter I would like to bring to attention is at the beginning of this court session [redacted] said she did not receive [redacted] summary of everything that had taken place in the past two and a half years. This should be at top priority in order for her to have an understanding and awareness of the complex case that stood before her that day for the first time. This situation was not cut and dry by no means and that's why it was of extreme importance for her to be knowledgeable of this case. Please tell me how it is possible for a Judge to base her sentencing on an ongoing case with such

detailed matter only based off of the prosecutors point of view, the horrid New Times Lies that were plastered inside of every gas station, everywhere imaginable for everyone to see, Or last but certainly not least in any way the stories that filled her head with at this beauty salon talk that they had had. Her mind was certainly made up before we even walked into that courtroom. When Responded to her with he had submitted this paperwork to her days prior. She said something along the lines of maybe the rest of the file was on her desk. And maybe or probably she read it. Again very unprofessional and unfair on defense.

has not been in trouble before, he is not a repeat offender nor a dangerous man. All that is being questioned here is everybody being treated fairly and a Judges conduct and making an issue personal with this defendant.

I ask that you please just read the motions, and the transcripts, and pray that you will find that this is very questionable, unjust, and very prejudice against

he should be given the same treatment as everyone else, and be given what was agreed on in condition 18, by this judge. The judge's personal acquaintances, or conversations about this case before sentencing is really unfair, and very unjust.