

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-013

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Judge:	No. 1460500224A
Complainant:	No. 1460500224B

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**ORDER**

The complainant alleged a superior court judge violated his speedy trial rights.

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 various court records, 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 whether the complainant's speedy trial rights have been violated. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: February 20, 2013.

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 February 20, 2013.

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

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

2013-013

## COMPLAINT AGAINST A JUDGE

Your Name: \_\_\_\_\_

Judge's Name: \_\_\_\_\_

Date: 1-16-13

**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.

(First complaint) See Attachment A-1

On June 18, 2012 at approximately 8:30 am Judge refused my speedy trial. At the time my attorney called me if I would waive time and I said no. After knowing my answer he told the judge that we would like to waive time. So I stood up and told the judge that I would not like to waive time. I've been in custody for 16 months at the time, and that I wanted to move forward to trial. Judge said let the record reflect that the defendant did not want to waive time. He then stated, if something happened as in if I lost trial, that I can come back on appeal.

(Second complaint) See Attachment A-2

On July 23, 2012 at approximately 8:30 Am Judge denied my speedy trial rights for the second time. My attorney once again asked for a continuance. Once again I stood up and told the Judge I want to move forward with my trial, and that I didn't want my end-date to be pushed out. I then stated we been waiting on transcripts for the last 4 months and I told the judge I'm tired of waiting for the transcript. My attorney set in everyday talking note at my coat-offender trial, with that being said I would like to go on with my trial. I then asked judge if he was violating my speedy trial rights and he said that he didn't believe he was violating my rights. He said its on record that the defendant does not want to waive time, and then said your good.

(Attach additional sheets as needed.)