

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-122

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Judge:	No. 1671614683A
Complainant:	No. 1468316716B

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**ORDER**

The complainant alleged a superior court commissioner set his bond too high, a second commissioner did not let him speak at his initial appearance, and a third commissioner did not allow him to speak at a probation revocation hearing.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioners 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 commissioners did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: June 27, 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 commissioners on June 27, 2013.

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

MAY 17 2013

NOTICE OF CLAIM

2013-122

14 MAY, 2013

RE: NOTICE OF CLAIM A.R.S. §12-821.01  
\$5,000,000.00  
State v

ATTN:

Forecited Notice of Claim 14 May, 2013.  
County Attorneys Office ("M.C.A.O."),  
County Sheriffs Office ("M.C.S.O.") Detective  
Detective Detective

and unidentified

prosecutor (herein "Defendants") knowingly violated Mr.  
(herein "Plaintiff") right to "due  
process" and other Constitutional rights pursuant to  
Arizona Constitutional Article II § 4, 15 and IV, V,  
VIII, XIV Amend. US Constitution, and in violation of  
18 U.S.C. § 241.

M.C.A.O. prosecutor concealed facts violating Rule  
7.1(a) Ariz. Rul. Crim. Proc. and "failed to timely disclose

damaging or unfavorable information" violating Rule 37(d) Ariz. Civ. Proc. Further M.C.A.O. perjury included conjecture, misrepresenting facts, and uncorroborated inferences, in violation of E.R. 3.8(a)(b)(d), 8.3(a), 8.4(a)(b)(d) and (f), Rule 41-1(e)(g) and (h) AZ Rul of Prof. Conduct.

had knowledge, her acts allowing unrepresented, before her bar, violated his rights under Rule 2.1(B) Rul of SUPCT., her Loyalty Oath of Office, Oath of Admission to the Bar, Creed of Professionalism of the State Bar of Arizona, and Fed. Law USC §241.

\$5,000,000.00 liability therefore attaches for "Defendants" dishonest acts under A.R.S. §41-621 (L)(1)(2), 38-259, 38-260, Error of Omission/Malpractice Insurance indemnification under

THE STATE OF ARIZONA ITS AGENCIES, BOARDS, COMMISSIONS, UNIVERSITIES, issuing company National Union Fire Insurance Co. of Pittsburg PA.

M.C.A.O. prosecutors and Detectives and other M.C.S.O. personnel

errors or omission and O.P.D.S. complicity under A.R.S. §13-303 conspired to injure, oppress, and intimidate, in violation of 18 U.S.C. § 241.

RESOLUTION

2013-122

By concealing facts, due process violations, dishonest acts, and conduct unbecoming a judge, plaintiff will accept \$5,000,000.° as settlement per forementioned Insurance policy, seek injunctive relief pursuant to A.R.S. § 12-1801, and seek criminal investigations of M.C.S.O. defendants, suspension up to and including resignation of \_\_\_\_\_ and any other relief the court deems fair and just.

RESOLUTION

2013-122

By concealing facts, due process violations, dishonest acts, and conduct unbecoming a judge, plaintiff will accept \$5,000,000.00 as settlement per forementioned Insurance policy, seek injunctive relief pursuant to A.R.S. § 12-1801, and seek criminal investigations of M.C.S.O. defendants, suspension up to and including resignation of \_\_\_\_\_, and any other relief the court deems fair and just.

14 May, 2013

2013-122

Director  
Commission On Judicial Conduct CC  
1501 W. Washington St.  
Phoenix AZ, 85007

Gov. Jan Brewer  
1700 W. Washington St.  
Phoenix AZ 85007

RE:

ATTN: DIRECTOR:

In my experience with County Attorney  
Office ("M.C.A.O.") and County Sheriff's Office  
("M.C.S.O.") "due process rights" are continually violated,  
and Office of Public Defender Services ("O.P.D.S.") is complicit  
with this malfeasance.

M.C.S.O. detectives misrepresented themselves with  
impunity at my home, asserting they were Probation  
officers, while their associates hid in the enclaves with  
backup (for a total of approximately 8 (eight) M.C.S.O.  
personnel).

Once handcuffed, I was taken downtown for a  
"chat" with detectives. Most people wanting to chat with  
me either come to my home/workplace or they invite

me to meet with them at a place of preference. I forgot to ask if being in the front seat, with hands cuffed behind my back, and a seatbelt steadfastly securing me to the unmarked SUV, meant I was under arrest, detained, or just the way M.C.S.O. personnel chose to take me for this "chat".

What about Miranda?

The detective in the back seat ( ) couldn't recall its cadence. The detective driving the vehicle ( ) possessed little improvement, rambling and stumbling his way through it. Obviously, they did not want to Mirandize me.

But why not?

This is the current form of arrest in County. There is no arrest warrant. Arresting officers are unlawfully arresting/detaining people, hence the unwillingness/inability to Mirandize the handcuffed citizens.

Again, but why?

The detention is invalid/unlawful because the investigation (a term loosely used here) is hastily performed, incomplete, misleading and inconclusive. Lack of ample facts from a botched investigation means convening a grand jury will not present the necessary indictment from which an arrest warrant can and should be issued.

COMPLAINT → ARREST → INTERROGATION → INDICTMENT → JAIL X

Without the arrest warrant there can be no valid arrest. But who needs validity for an arrest in County? Arrests can be faultily accomplished by/with "probable cause", a legal tool for prosecutors seeking an indictment... not keen, well-seasoned investigative detectives harboring "due process rights" concerns.

However, once an inmates bunk is filled, and a booking number issued; "ka-ching" - the money can pour in...

Mission Accomplished.

I call on the Governor, Brewer, to conduct a statewide review aimed at assuring Arizonans that these "thuggish" practices are no longer underway in Maricopa County, or elsewhere in the legal establishment against anyone... regardless of the crime(s) they are accused of. A simple apology will not put this issue to rest. The resignation of all complicit judges, M.C.A.O./M.C.S.O., and O.P.D.S. personnel, is what is necessary at this time.

M.C.A.O./M.C.S.O., with O.P.D.S. personnel complicit in their malfeasance, have demonstrated the most disturbing, illegal, and outrageous abuse of state government power. This deliberate targeting and imprisonment of innocent Arizonans reaches a new low in illegal M.C.A.O./M.C.S.O. activity and overreach.

The trip downtown ended at the Violent Crimes Unit where Detective \_\_\_\_\_ entered the interrogation room and removed the handcuffs from my wrists. She then offered a bottle of water, sat down at the table and asked if I knew why I was brought down here. I replied I had an idea, but asked about Miranda. She casually, and apparently from memory, informed me of my right to remain silent and the attorney protocol.

"Fine-..." I replied, but before I could finish my sentence she stated that this was not that serious, really nothing compared to (her) other cases, and that I could be back home to finish my warm dinner. Or something enticing like that.

I gave her a summary of the events, at the end of which she looked me squarely in my eyes and stated, "I'll give you a chance to change your story." Somewhat puzzled, I asked her "... change... to what?" Again, she looked at me with consternation and reiterated in no uncertain terms, "Change your story!" This time, feeling pressured by her intimidating voice and rising posture I replied, "It's the truth, and that's what you asked for... what would you like me to change?"

The detective stood up, looked down at me and menacingly stated, "If you don't change your story, if you stick with that, you're gonna go to jail!" Again, I

replied, this time fearfully, "You asked for the truth, and that's what I've told you. There is nothing to change, I am telling you the truth!"

"Give me your hands!" Detective demanded, and placed the handcuffs on them. "You're going to jail!" she stated emphatically.

I was then taken to 4<sup>th</sup> Ave Jail/Courthouse where the debacle not only continued, but worsened.

The following morning I had the sheer displeasure of standing before the infamous <sup>ind</sup>

one of her subversive former M.C.A.O. associates (an African-American female, mid to late 40's, approximately 5'-5", 160 lbs, wearing glasses).

This prosecutor (whose name was never mentioned) appeared after all other defendants were escorted from the courtroom and I alone remained. Her testimony contained misrepresentations of facts, uncorroborated inferences, and conjecture, yet she convinced

to increase a \$ 2500.<sup>00</sup> bond to an onerous amount of \$ 50,000.<sup>00</sup>. Without the benefit of adequate legal counsel,

unidentified purveyor of injustice in M.C.A.O. succeeded in violating my 5<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> Amendment rights, U.S. Constitution, and 4<sup>th</sup>, 11<sup>th</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 24<sup>th</sup> and 30<sup>th</sup> subsections Art. II AZ STATE Constitution.

An apology, frankly, is not enough. Arizonans need to have ironclad guarantees from M.C.A.O./M.C.S.O. and O.P.D.S. personnel that they will adopt significant protocols to ensure this kind of open assault on the Constitutional rights of Arizona's citizenry NEVER happens again. Notice of Claim enclosed.



19<sup>th</sup> May, 2013

COMPLAINT AGAINST A JUDGE 2013-122

On 11 April, 2013 while standing before Judge \_\_\_\_\_ as she read charges I was accused of committing, she set my bond at \$2,500.<sup>00</sup>. She then stated she would wait for the County Attorney to arrive, but did not wait for defense counsel. The County Attorney upon arrival, misrepresented facts, issued uncorroborated inferences and stated conjecture, which influenced Judge \_\_\_\_\_ (her longtime friend and former M.C.A.O. associate) to raise bond to an onerous amount of \$50,000.<sup>00</sup>.

None of the County Attorneys' testimony was factual (I am not a flight risk, nor am I a danger to my community, etc...).

In fact, I am a veteran of U.S. Air Force. I do have extensive religious and banking ties in my community.

I do have a Finger-Print Clearance Card issued by Federal Authorities, and have never been accused of any immoral or felonious behavior.

Judge \_\_\_\_\_ was intentionally misled by her former associate.

The charges I am currently facing were filed by a spurned, narcissistic ex-lover. Her circle of friends and acquaintances include lesbians and bi-sexuals, one of whom is good friends with the County Attorney in question, and aided in the entrapment.

Had \_\_\_\_\_ resisted the implicit cronyism the County Attorney initiated against her I would not be languishing in jail, unable to satisfy this onerous bond requirement, but back to work at a new job, preparing for the upcoming trial with a private attorney.

Judge \_\_\_\_\_ violated her Loyalty Oath of Office; Creed of Professionalism of S.B.A.; Oath of Admission; and Rules 1.3, 2.15(D), 2.4(B), 2.6 Ariz. Code of Judicial Conduct.

M.C.A.O. prosecutor violated E.R. 3.8(a)(d) Rules of Professional Conduct.

In addition, my rights under Art. II § 4, 15, 24 Ariz. State Const.; V, VIII, XIV U.S. Const.; and Rule 6.1(b) Ariz. R. Crim. Proc. were violated, and liability attaches under A.R.S. § 41-621(L)(1)(2), 38-259, 38-260 by the actions of Judge \_\_\_\_\_, and M.C.A.O. County Attorney present on that day.