

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-054

Judge:	No. 103501068914893A
Complainant:	No. 103501068914893B

ORDER

The complainant alleged two superior court judges have violated and continue to violate his constitutional rights.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 review, the commission found no evidence of ethical misconduct and concluded that the judges 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: March 26, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judges
on March 26, 2014.

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

2014 054

RE: COVER LETTER
COMPLAINT

Date :

From :

, Arizona

To : STATE COMMISSION ON JUDICIAL
Conduct Office

1501 W. WASHINGTON ST., Ste 229

Phoenix, Arizona 85007

STATE OF ARIZONA
(Legal Fiction)

Vs.

(Fact)

This complaint is being filed in regards to the unlawful conviction on _____ in _____. This Complaint is also made in regards to the rulings made by Judges _____

& _____ on _____

On _____

even refused to tell me the Jurisdiction of the Court in accordance with the 6th Amendment. Any matter brought in this Complaint is a matter for Public Records.

On this _____ day of _____, I _____ family as Commonly Called do hereby give you this Complaint due to the mistaken identity, Assault, & Harrassment to participate in a fraud, Black Mail, Threats Distress & Coerison. I also give you Notice of Understanding Intent and Claim of Right. Judge _____ has repeatedly denied my Constitutional Rights to Challenge Jurisdiction, Notice of Request for clarification of Court Summons and Non Acceptance of Offered Services. This took place on _____. On _____ my pro-per status was taken away and to this date the STATE OF ARIZONA has repeatedly harrassed me by trying to

Force me to accept the Services of an Attorney to place me as a ward of the court in relation to the attorney, Attorney & Client Relationship, to place me as a person of unbalanced mind, so I may not file motions that Claim Common Law Jurisdiction, Challenge the Validity of the Statutes they claim against me, In which THE ARIZONA COURT has no prudential license to decline to consider whether the statute under which the alleged defendant has been charged lacks constitutional application to my conduct. See Eisenstadt v. Baird, 405 U.S. 438, 452-455, 92 S.Ct. 1029, 31 L.Ed.2d 349 (1972). An individual has a direct interest in objecting to laws that upset the constitutional balance between National Government and the states when the enforcement of these laws causes injury that is concrete, particular, and redressable, and fidelity to principles of federalism is not for the States alone to vindicate - But the People. Const. Amend. 10. And by the Tenth Amendment Article III's case-or-controversy requirement, my incarceration constitutes a concrete injury, caused by the STATE OF ARIZONA's invalidation of statute application and incarcerating my physical self without consent.

I also requested that the STATE OF ARIZONA Give me "Proof of the Claims" they have against me and that they prove that I am the Legal Fiction of that they have on their charging instrument. At every hearing the services of an Attorney has been denied. Judge Q have continuously violated my Constitutional rights at every proceeding. Not only am I in custody in violation with the Constitution, Laws & Treaties of THE UNITED STATES of AMERICA 5th, 6th, 8th, 9th, 10th, 11th & 14th Amendments, but "SPECIAL CIRCUMSTANCES" warrants

3 of 12

the Immediate Attention and exercise of this Courts discretionary powers. These circumstances include the Cruel and Unusual Punishment to my physic being on _____, by the order of Judge _____ acting under the Color of Law, who ordered 'By Any Means Necessary' the taking of my Biographical Property, My Finger Print to place on the charging instrument of a Legal Fictional CORPORATION, which would promote a Fraud. Because I am a real live human being and in no way Fictional. The STATE OF ARIZONA by which _____ and _____ act under the color of law i.e. Maritime Law / Contract Law (Law of the Sea) use said finger prints on documents as an offer from the STATE OF ARIZONA or COUNTY of _____ et. al, establishes a mark of consent to contract for services & benefits. This is in direct violation of 'Common Law' and the UNITED STATES CONSTITUTION without consent. After reaching an impasse by the subsequent order to obtain my fingerprint by Judge _____ to three Deputy Sheriffs present again, ... "by Any Means". Thus opening the "discretionary window" to even Excessive Force of the deputies. Seeing the officers aggressively approaching, I clearly and passively stated out and in the record in a Complaint fashion, "I am lying down on the ground, in a non-combatative position. I do not wish to hurt anyone, but I refuse to give up MY fingerprint to Consent to establish myself as a Legal Fiction. Which is my Constitutional Right to refuse to participate in anything Fraudulent as adhering to the fiction of the separate existence of the CORPORATION of _____ would sanction a fraud and promote injustice. Also as a Sovereign American Citizen I have the right to not delegate my Sovereign Power to the STATE OF ARIZONA. It should be noted that I was already handcuffed in the front and both my legs had ankle restraints.

The first officer rapidly approached me and sternly said, "Give me your hands!" Then without hesitation, aggressively tried to pull my arms and hands from under me as I lay in a prone defenseless position on the ground. Suddenly a second officer grabbed my foot and against its normal range of motion, Twisted my foot back and forth repeatedly past its natural degree, causing extreme pain; I yelled in agonizing pain that he was twisting my leg. In rapid succession a 3rd Officer using a plethora of his body weight impacted his knee directly into the lower portion of my spine, which I felt a pop that made my eyes well up to the point of crying out in agonizing pain as well as tears. A 4th Officer immediately thereafter, began to apply pressure point techniques to my neck, Trapezious and shoulder areas squeezing with enough force to bruise, again making me cry out again and again in front of Courtroom Officers and Personnel (Staff) with a front row in proximity view. Now the first officer started to take my hands that were pulled out from under me and used pressure point to force my hands to open. He violently dug his thumb so hard that it broke the skin on my hand. I then started to cry out again as the 3rd officer maliciously dropped his knee into my back again. I started to cry due to the extreme amount of pain that I was in and the 4th Officer using an exorbitant amount of energy slammed my face into the concrete floor which busted my lip and pushed back one of my teeth. I yelled out and cursed some more and the 4th Officer started to choke me cutting off my air. I screamed out, "He's choking me, I can't breathe!" Upon which he immediately let go of my neck and throat. The 1st officer noticed one finger on my left hand that wasn't completely closed all the way and that is because it had

dislocated prior in a fall. He then took this single digit and twisted it redislocating it again. In tears and excruciating pain they forcefully took my FingerPrint and placed it on a charging document of a Legal Fiction. When I stood up I said that I wanted all those officers names. _____ told me that, "Attorney _____ (would) give them to me." _____ an officer of the court as a Private Bar Guild Member, just stood by and watched, and by her inaction to defend, prevent or object to what was taken place she thus gave her Consent. _____ should have objected to this kind of treatment for her supposedly position of representation of a client, who claims Command Law Jurisdiction, who declined Services offered by THE STATE OF ARIZONA'S COURT. _____ as a person who is supposedly knowledgeable in Law, should have known that I had a right as a Sovereign American Citizen to not participate in something fraudulent, and that is being identified without consent as a legal fiction for the purpose of business. She should have protected my Constitutional sovereign citizen rights instead of trespassed against them.

Because of _____ inaction, due to her conflict of interest in that her first duty is to the court or Judge _____, prevented her from any actions on my behalf, even to the point of standing by while I was being assaulted with no objection to what was taking place. For this reason alone _____ should not have been allowed to represent me by Judge _____ on _____ per my addendum objection. As such Judge _____ & _____ as Officers of the STATE who is acting in violation of rights protected

by the Constitution or Laws or Treaties of the UNITED STATES claim protection of the Amendment, in as much as in so acting they lose their official and representative capacity. - See Osborn v. Bk. U.S., 9 Wheat. 738, 858-859, 868 (1824) Therefore Judges should be regarded as acting in their individual capacity in failing to act according to law.

My 5th Amendment Rights were violated by repeatedly by usage of Threats, Distress, Coercion & Blackmail to Force me to accept the Service of Adjudication by the CORPORATION of ARIZONA STATE SUPERIOR COURT under Contract Law i.e. Maritime Law, 'the Law governing contracts', which is the law of the Sea, & Those of us who know the truth, know that Common Law is the Only Law on the Land. Even in the Constitution it states that; "Due Process is a Guarantee that a man should be tried and convicted only in accordance with the Valid Laws of the LAND."

My 9th Amendment Rights were violated by when they trespassed on my Rights as a Sovereign American Citizen to claim Common Law Jurisdiction, To request clarification of Court Summons & non-Acceptance of offered services. THE UNITED STATES is a Country under the Protection of Common Law Jurisdiction, and as a Sovereign American Citizen I have the right to consent or deny Any Services offered by any CORPORATION as established in Number 69th of my Claim of Right which was reviewed and accepted by THE STATE of ARIZONA without objection which now stands as 'Truth in Commerce' Judge Officers

of the Court all tried to Force myself to accept their Services by taking away my Pro-Per status, which would disable my ability to challenge their Jurisdiction or the Validity of the A.R.S. Statutes being applied by a Court De'Facto, by the 10th Amendment. Under the 9th Amendment I retained my Sovereign Rights WITHOUT PREJUDICE, but the STATE of ARIZONA under the representation of have construed to deny them. And once again waive their immunities by acting in violation of my Rights protected by the Constitution or Laws or Treaties, in so acting they lose their official Representative capacity. (See Osborn v. B'K)

My 10th Amendment Rights were violated by by trying to enforce on myself laws that are beyond the Power of Congress or the STATES. (See *Nixon v. United States*, 276 U.S. 332, 341, 48 S. Ct. 388, 72 L.Ed. 600 (1982). They are in violation of the Treaties of the UNITED STATES by trying to take control of Powers of the Sovereign American Peoples that have not been delegated to them by the Constitution which are retained by myself. The Amendment states, "but a Truism that All is retained which has not been surrendered. So the STATE of ARIZONA, Nor its representatives may not exercise powers not Granted, but they are limited in scope unless granted by self which is declined. (See *United States v. Sprague*, 282 U.S. 716, 733 (1931).

My 11th Amendment rights were violated by by the denying my Common Law Jurisdiction claim which established myself as a Sovereign State under the protection of the Treaties of the United

States as stated in Article III Sec. II of the Constitution that; "The Judicial power shall extend to all cases, in law and equity, arising under this Constitution, the Law of the UNITED STATES, and Treaties made or, which shall be made, under their authority; to all cases of "Admiralty and Maritime Jurisdiction"; to controversies to which the UNITED STATES shall be a party; to controversies two or more states; between a STATE and Citizens of another STATE; between citizens of the same STATE claiming lands under grants of different STATES, and between a STATE, or the Citizen thereof, and Foreign States, Citizens or subjects." Also Article VI Sec. II States that, 'all treaties made or which shall be made by the UNITED STATES, shall be the SUPREME LAW of the LAND; and the judges in every State shall be bound thereby, anything in the Constitution or laws of Any STATE to the contrary notwithstanding.'

This being stated Judges acting under the color of law should know the difference between Common Law, the Only Law on the LAND, which the UNITED STATES SUPREME COURTS claim to uphold, & Maritime Law i.e., the Law of the Sea, which is the Law governing contracts which require consent. Under the 11th Amendment, The Immunity of a Sovereign American Citizen from a suit brought by the STATE OF ARIZONA a Non Jural Entity, is a privilege which it may waive at pleasure by voluntary submission to suit, (see Clark v. Bernard, 108 U.S. 436, 447 (1883)) as distinguished from appearing in a similar suit to defend its officials, and general law consenting to suit in the federal or State Courts. Such consent must be clear and specific and consent to suit in its own courts does not imply a waiver of immunity to suit in the

Federal courts. As a Sovereign State with immunities under the 11th Amendment I may chose or not chose to waive these Rights and the STATE of ARIZONA COURT INC. cannot force me to do so.

In Point of fact the 14th Amendment states that; "No STATE, (Including ARIZONA) shall make or enforce any law which shall abridge the Privileges or Immunities of Sovereign American Citizens of THE UNITED STATES; nor shall ANY STATE deprive any person of life, liberty or property, without Due Process, the valid Laws of the LAND; nor deny to any person within its jurisdiction the equal protection of the laws. A Sovereign American Citizens States Sovereignty secures to citizens the liberties that derive from the diffusion of Sovereign Power, (New York v. United States, 505 U.S. 144, 181, 112 S.Ct 2408 120 (1992) and retained respectively to the People.

Federalism also protects the liberty of all persons within a STATE by ensuring that laws enacted in excess of delegated governmental powers cannot direct or control their actions. By ~~denying~~ any one government complete jurisdiction over all concerns of public life, federalism protects the liberty of the individual from Arbitrary Power, such as those held by the COURT of THE STATE OF ARIZONA. When STATE government acts in excess of its lawful powers, that liberty is at stake. See Bond v. U.S., 131 S. Ct. 2355 (2011). The limitations that Federalism entails are not therefore a matter of rights belonging only to the STATES. STATES are not the sole intended beneficiaries of federalism. See New York, supra, at 181, 112 S.Ct. 2408. An individual has a direct interest in objecting to laws that upset the constitutional balance between the National Government and the STATES when the enforcement of those laws causes injury that i

concrete, particular, and redressable. Fidelity to principles of federalism is not for the STATES alone to vindicate, and therefore I have the right to challenge the STATE OF ARIZONA'S COURTS JURISDICTION in Pro-Per, as well as the validity of the statutes being applied, to make sure that the prosecution by the STATE OF ARIZONA is lawful, proper and Constitutional. So that I can determine that they or others within their venue did not commit "Constitutional Impermissible application of the Statutes or Law in this matter."

On I wrote a motion that heard Labeled Notice of Non-Acceptance & Proof of Claim request Exhibit 'P', letting her know that I was not accepting the services of Attorney or any other thereof. Also I requested that the STATE give me Proof of the Claim, upon which she refused to accept, stating that I have counsel to represent me. I've requested several times in these proceedings that provide proof of contract as provided for in the Rules of Criminal Proceedings & Code of Conduct. I also informed her that a change of counsel was filed, a notice to cease harassment against as well as a civil complaint against herself. This established a clear conflict of interest and even under the STATES own rules she proceeded under violation of Code of Conduct ER 1.7. Conflict of interest.

On the STATE OF ARIZONA began trial proceedings without proper identification of a legal fiction and this has been the process at every proceeding. On the 2nd, 3rd, 4th, & 5th I waived

any participation in these proceedings in accordance with the 5th, 9th, 10th, 11th, & 14th Amendments, but the STATE of ARIZONA continues to violate my rights and have used Threats Distress & Coercion as well as physical Force & Torture as a means.

In conclusion there are Exceptional Circumstances in this case that should be brought to the attention of a higher court upon which the proper relief can be sought. There is no way to correct the Physical Damage or direct injury to my personage. The gross negligence of misapplication of Maritime Law Statutes upon dry LAND, causing Due Process violations for the valid laws of the LAND. Direct injury to liberties cause by the proceedings of the ARIZONA STATE systems misapplication of statutes, violation of due process, fraud, no jurisdiction, no full disclosure due to the commercial nature of THE STATE of ARIZONA SUPERIOR COURT. I therefore move to dismiss these statute charges out of the STATE of ARIZONA due to, the Tacit Consent by the STATE to the Notice of Understanding and Intent and Claim of Right filed on _____ Upon which they were lawfully notified that a default judgement would be established if they failed to respond and they were given a proper amount of time fourteen days (14), to respond, Also by the STATES failure to respond in substance to avoid dishonor, to the Notice of Claim; The STATES failure to establish the presence of a legal fiction for the purpose of adjudication, The fact that I clearly stated in record that these Services of Adjudication by THE STATE of ARIZONA COURT are not being accepted and provided the Court with written notice to this affect several times.

Finally I _____ of the _____ family "as commonly called,
 an actual human being and in no way fictional legal or otherwise.
 Once again move for these A.R.S. statutes be dismissed due to the fact
 that the A.R.S. Statutes are beyond Congress or STATES Constitutional auth-
 ority to enact without being delegated by myself. The ARIZONA Statute
 under which I am being held, exceeds Congress or STATES enumerated power
 and violates the 10th Amendment. It exceeds Congress power, because it vio-
 lates the Ex Post Facto Clause, the Establishment Clause & The Due Process
 Clause. "An offence created by [an unconstitutional law], i.e. Maritime
 Law, the United States' Supreme Court has held, "is not a crime." *Ex parte*
Sichold, 100 U.S. 371, 376. 25 L. Ed. 717 (1880). A conviction under [such a
 law] is not merely erroneous, but illegal and void, and cannot be a
 legal cause of imprisonment. *Id.*, at _____. If a law is invalid &
 applied to the criminal defendant's conduct the defendant is entitled to go
 free.

For this reason THE STATE OF ARIZONA SUPERIOR COURT has no "prudential
 license to decline to consider whether the statute under which the alleged
 defendant has been charged lacks constitutional application to my conduct.
 In short a law beyond the Power of Congress," for any reason is no
 law at all."

Written this _____ day of _____

WITHOUT PREJUDICE