

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-079

Judge:	No1032114203A.
Complainant:	No1032114203B.

ORDER

The complainant alleged a superior court judge conveyed to the jury in his case only sidebar decisions initiated by the prosecutor and not by his defense counsel.

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 review, 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 court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: April 9, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on April 9, 2014.

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

2014 079

DIRECTOR

ARIZONA STATE BAR ASSOCIATION

4201 NORTH 24TH STREET, SUITE 200

PHOENIX, AZ 85016-6188

TO WHOM IT MAY CONCERN,

I AM A VETERAN OF THE UNITED STATES ARMY. FOR YEARS, I PROUDLY DEVOTED MY LIFE TO THE PROTECTION AND PRESERVATION OF THE VERY VALUES, LAWS AND FREEDOMS ESTABLISHED BY OUR FATHERS. INSTEAD OF ENJOYING THE FRUITS OF MY SERVICE, I FIND MYSELF BEING UNLAWFULLY AND PREJUDICALLY PERSECUTED BY AN ELECTED OFFICIAL; AN OFFICIAL WHO SWORN AN OATH TO PROTECT AND UPHOLD THE CONSTITUTIONAL RIGHTS OF THE CITIZENS OF THIS GREAT STATE OF ARIZONA AND UNITED STATES OF AMERICA; AN OFFICIAL WHO IS A MEMBER OF YOUR ASSOCIATION. I AM WRITING IN REFERENCE TO AN EPIDEMIC WITHIN THE BRETHREN OF TRIAL COURT JUDGES; AN EPIDEMIC DESIGNED TO DELIBERATELY DENY A DEFENDANT HIS RIGHT TO DUE PROCESS AND FAIR TRIAL AS GUARANTEED BY THE FIFTH AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION; ARTICLE II, SECTIONS 4 AND 24 OF THE ARIZONA CONSTITUTION. BECAUSE I WILL TRY TO OUTWIT HOLD THE DELIBERATE ACTIONS OF ONE (1) SUPERIOR COURT JUDGE. JURY DELIBERATIONS. BY THE CONCLUSION OF THIS CORRESPONDENCE, I WILL PROVIDE INFORMATION ON TWO (2) ADDITIONAL CASES WITH SIMILAR VIOLATIONS.

DN?

AFTER COMPLETION OF YOUR DIRE, IN THE STATE OF ARIZONA

COUNTY SUPERIOR COURT JUDGE

ISSUED JURY INSTRUCTIONS CONCERNING ADMITTANCE OF EVIDENCE, STATING IN PART:

RECEIVED

STATE BAR OF ARIZONA
LAWYER REGULATION

"I WILL BRIEFLY TELL YOU SOMETHING ABOUT YOUR DUTIES AS JURORS AND GIVE YOU SOME INSTRUCTIONS. BY THE END OF THE TRIAL,

I WILL GIVE YOU MORE DETAILED INSTRUCTIONS AND THOSE INSTRUCTIONS WILL CONTROL YOUR DELIBERATIONS.

IT WILL BE YOUR DUTY TO DECIDE THE FACTS. YOU MUST DECIDE THE FACTS ONLY FROM THE EVIDENCE PRODUCED IN COURT... YOU

WILL HEAR THE EVIDENCE, DECIDE THE FACTS, AND THEN APPLY THE LAWS I WILL GIVE TO YOU...

YOU WILL DECIDE THE FACTS FROM EVIDENCE PRESENTED HERE IN COURT. THAT EVIDENCE WILL CONSIST OF TESTIMONY OF

WITNESSES...

AS I MENTIONED EARLIER, IT IS YOUR JOB TO DECIDE THE EVIDENCE WHAT THE FACTS ARE. THERE ARE SIX RULES ON WHAT IS

OR WHAT IS NOT EVIDENCE. THE EVIDENCE TO BE CONSIDERED:

RULE NUMBER 1. YOU MUST DETERMINE THE FACTS ONLY FROM THE TESTIMONY OF WITNESSES...

4. OBJECTIONS TO QUESTIONS. IF A LAWYER OBJECTS TO A QUESTION AND I DO NOT ALLOW THE WITNESS

TO ANSWER, YOU MUST NOT TRY TO GUESS WHAT MIGHT HAVE BEEN.

RULE NUMBER 5. REJECTED EVIDENCE. AT TIMES DURING THE TRIAL, EVIDENCE MAY BE OFFERED THAT I DO NOT

ALLOW AS EVIDENCE...

ADMISSION OF EVIDENCE IN COURT IS GOVERNED BY THE RULES OF LAW. I WILL APPLY THOSE RULES AND RESOLVE ANY

ISSUES THAT ARISE DURING THE TRIAL CONCERNING THE ADMISSION OF EVIDENCE. IF AN OBJECTION TO A QUESTION IS SUSTAINED, YOU

MUST DISCARD THAT QUESTION, AND YOU MUST NOT GUESS WHAT THE ANSWER TO THE QUESTION MIGHT HAVE BEEN...

... IT MAY BECOME NECESSARY FOR ME TO ASK WITH THE ATTORNEYS OUT OF THE HEARING OF THE JURY EITHER BY HEAVING A
CONFERENCE AT THE BENCH, WHEN THE JURY IS PRESENT IN THE COURTROOM...

... THE PURPOSE OF THESE CONFERENCES IS NOT TO KEEP RELEVANT INFORMATION FROM YOU, NOT TO DECIDE FROM CERTAIN
EVIDENCE IS TO BE TREATED UNDER THE RULES OF EVIDENCE AND TO AVOID CONFUSION AND ERROR.

THESE PRELIMINARY JURY INSTRUCTIONS SET FORTH THE VERY FOUNDATION FOR ADMISSION OF EVIDENCE DURING A TRIAL, SPECIFICALLY ESTABLISHING THE

HONORABLE

AS THE SOLE AUTHORITY AS TO WHAT EVIDENCE WILL OR WILL NOT BE CONSIDERED BY THE FACTFINDERS.

DURING THE COURSE OF THE TRIAL, NUMEROUS OBJECTIONS RESULTED IN RECORDED JUDICIAL CONFERENCE, CHRONOLOGICALLY

ENUMERATED AS:

1. DEFENSE OBJECTION, WITNESS-

ON DIRECT EXAMINATION.

- DECISION AT SIDEBAR.

" IF YOU WANT TO DEAL WITH THAT, I WOULD READ AND JUST

THAT POINT, BUT IT REALLY IS BORROWING ON IRRELEVANT, BUT I THINK IT ALLOWS YOU AN OPPORTUNITY TO SET THE SCENE.

WHAT HAPPENED ... SO I WILL LET YOU HAVE A LITTLE LESSON...

- COURT'S INSTRUCTIONS.

- NONE GIVEN TO THE FACTFINDERS -

2. DEFENSE OBJECTION, WITNESS-

ON DIRECT EXAMINATION.

- DECISION.

" ... YOU HAVE NOT Laid ANY TESTIMONY... YOU HAVE NOT Laid

ANY FOUNDATION ... I WILL SUSTAIN ON THE FOUNDATION ISSUE ...

- COURT'S INSTRUCTIONS.

- NONE GIVEN TO THE FACTFINDERS -

3. DEFENSE OBJECTION, WITNESS-

ON DIRECT EXAMINATION.

- DECISION AT SIDEBAR.

" ... I TEND TO DISSE WITH

" I DON'T THINK YOU

HAVE Laid THE FOUNDATION ... SO I WILL SUSTAIN THE OBJECTION.

- INSTRUCTIONS.

- NONE GIVEN TO THE FACTFINDERS -

4. DEFENSE OBJECTION, WITNESS-

ON DIRECT EXAMINATION.

- DECISION AT SIDEBAR.

" I AM GOING TO LET

1

HAVE A LITTLE LESSON TO ESTABLISH

WHETHER OR NOT HE HAS ENOUGH SUFFICIENT INFORMATION...

- COURT'S INSTRUCTIONS.

- NONE GIVEN TO THE FACTFINDERS -

1 DEFENSE COUNSEL, OFFICE OF THE

COUNTY

DEFENDER.

2

PROSECUTOR, OFFICE OF THE

COUNTY ATTORNEY.

5. DEFENSE OBJECTION, WITNESS-

POLICE DETECTIVE

ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

"I WILL DENY THE MOTION FOR A MISTRIAL..."

THINK

"I DON'T WANT YOU TO ASK ANYMORE QUESTIONS ABOUT WHAT I SAID OR THAT THE CIRCUM-

LIMITED RULING THAT I MADE YESTERDAY WAS BECAUSE OF THE STATEMENT THAT YOU MADE...

WITH

THAT THAT LIMITS SPECULATION...

• CORRECTIVE INSTRUCTIONS.

- NOTE GIVEN TO THE FACTFINDERS -

6. DEFENSE OBJECTION, WITNESS - HORSE PRACTITIONER

ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

"I DON'T WANT YOU TO ASK ANYMORE QUESTIONS ABOUT WHAT I SAID OR THAT THE CIRCUM-

FOR NOW AND SINCE IT DOESN'T REALLY SEEM TO BE NECESSARY...

• CORRECTIVE INSTRUCTIONS.

- NOTE GIVEN TO THE FACTFINDERS -

7. DEFENSE OBJECTION, WITNESS - HORSE PRACTITIONER DID NOT HOLD, ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

"I THINK THAT I SPECIFICALLY STATED

THAT THE ISSUE OF... COULD BE BELONGS BY EITHER SIDE... I THINK YOU ARE CLOSE TO THAT ISSUE OF MY

RULING, AND SO I AM TO SUSTAIN THE OBJECTION... MOTION FOR MISTRIAL IS DENIED.

• CORRECTIVE INSTRUCTIONS.

- NOTE GIVEN TO THE FACTFINDERS -

8. STATE OBJECTION, WITNESS - PRIVATE INVESTIGATOR

ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

"... THE JURY CAN CONSIDER HIS TIME AND HOW

LONG IT TOOK HIM TO GET THERE, GOT TO VIEW THE VIDEO, I THINK IT IS SOMEWHAT COMPLICATED.

• CORRECTIVE INSTRUCTIONS.

"THE STATE'S OBJECTIONS TO

IS SUSTAINED"

9. STATE OBJECTION, WITNESS - CLIFFORD FOLLAHOUSE, ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

"ARE YOU OBJECTING TO HIS TESTIMONY THAT HE RECEIVED OR

DID NOT RECEIVE... OBJECTION SUSTAINED.

• COURT INSTRUCTIONS.

"THE OBJECTION IS SUSTAINED"

10. STATE OBJECTION, WITNESS -

ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

• COURT INSTRUCTIONS.

"OBJECTION IS SUSTAINED"

11. STATE OBJECTION, WITNESS.

ON DIRECT EXAMINATION.

• DECISION AT SIDEBAR.

"DID HE SAY THE WORD ILLEGAL, I WILL MOVE TO STRIKE."

AND... THE JURY IS NOT TO CONSIDER HIS LAST ANSWER."

• INSTRUCTIONS.

"THE LAST ANSWER THAT MR.

LAKE GAVE AND HE

BELIEVED THAT [THE VICTIM] DID SOMETHING ILLEGAL IS STRICKEN FROM THE RECORD AND THE JURY IS ORDERED TO

DISCARD IT."

12. DEFENSE OBJECTION, WITNESS -

ON CROSS EXAMINATION.

• DECISION AT SIDEBAR.

"I DON'T SEE AN INCONSISTENT STATEMENT... DON'T ASK

ANY MORE QUESTIONS ABOUT WHAT HE TALKED ABOUT WITH DETECTIVE CHANCE AND TELL ME IT IS A PRIOR INCONSISTENT

STATEMENT."

• COURT INSTRUCTIONS.

"NOTE WHEN TO THE FACT FINDERS -

AT THE CONCLUSION OF THE TRIAL STAGE, THE HONORABLE

ISSUED FINAL JURY INSTRUCTIONS TO THE FACT FINDERS.

STATING IN PART:

"IT IS YOUR DUTY AS A JUDGE TO DECIDE THIS CASE, BY APPLYING THESE JURY INSTRUCTIONS TO THE FACTS AS YOU DETERMINE THEM, YOU MUST FOLLOW THESE JURY INSTRUCTIONS. THEY ARE THE RULES YOU SHOULD USE TO DECIDE THIS CASE. IT IS YOUR DUTY TO DETERMINE WHAT THE FACTS IN THE CASE BY DETERMINING WHAT ACTUALLY HAPPENED, DETERMINING THE FACTS FROM THE EVIDENCE PRODUCED IN COURT.

WHEN I SAY EVIDENCE, I MEAN THE TESTIMONY OF WITNESSES...

...YOU ARE TO DETERMINE WHAT THE FACTS TO THIS CASE ARE FROM THE EVIDENCE IN COURT. IF THE COURT SUSTAINED AN OBJECTION TO A LAWYER'S QUESTION, YOU MUST DISCHARGE IT AND ANY ANSWER GIVEN. ANY TESTIMONY STRICKEN FROM THE RECORD MUST NOT BE CONSIDERED.

...YOU MUST DECIDE WHETHER THE DEFENDANT IS GUILTY OR NOT GUILTY BY DETERMINING WHAT THE FACTS IN THE CASE ARE, AND APPLYING THESE JURY INSTRUCTIONS.

THE TRIAL COURT'S GUIDANCE, PRE- AND POST TRIAL, CLEARLY ESTABLISHED THE HONORABLE AS THE SOLE AUTHORITY AS TO WHAT IS OR IS NOT RELEVANT EVIDENCE TO BE CONSIDERED BY THE FACTFINDERS. ADDITIONALLY, THE HONORABLE INSTRUCTED THE FACTFINDERS AS TO THE PURPOSE OF SIDEBAR CONFERENCES "IS NOT TO KEEP RELEVANT INFORMATION FROM JUDGES" AND THE APPLICATION OF THE RULES OF LAW CONCERNING ADMISSION OF EVIDENCE (SPECIFICALLY, TESTIMONY OF WITNESSES). ARIZONA RULES OF EVIDENCE 401 DEFINES "RELEVANT EVIDENCE" MEANS EVIDENCE HAVING ANY TENDENCY TO MAKE THE EXISTENCE OF ANY FACT THAT IS OF CONSEQUENCE TO THE DETERMINATION OF THE ACTION MORE PROBABLE OR LESS PROBABLE THAN IT WOULD BE WITHOUT THE EVIDENCE." FURTHER OVERRULING, "ALL RELEVANT EVIDENCE IS ADMISSIBLE... EVIDENCE WHICH IS NOT RELEVANT IS NOT ADMISSIBLE." RULES 402, ARIZONA RULES OF EVIDENCE.

THE HONORABLE REITERATED TWO (2) PRIMARY FACTS THAT 1) NO RELEVANT INFORMATION COULD BE HELD FROM THE FACTFINDERS; AND 2) ALL OBJECTIONS WHICH ARE SUSTAINED MUST BE DISCHARGED. THESE INSTRUCTIONS GO TO THE VERY STRUCTURE- FOUNDATION OF A TRIAL, WHEREBY, THE FOUNDATION OF ANY TRIAL IS GOVERNED BY THE RULES OF LAW DESIGNED TO SAFEGUARD INDIVIDUAL CONSTITUTIONAL RIGHTS; WHEN A TRIAL COURT DEVIATES FROM SAID RULES, FUNDAMENTAL ERROR OCCURS.

IN THE ABOVE ILLUSTRATED CASE, THE HONORABLE
THE FACTFINDERS, ENUMERATED AS

RENDERED THE FOLLOWING CHRONOLOGICAL SIDEBAR CONFERENCE DECISIONS TO

1. DEFENSE OBJECTION. - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
2. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
3. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
4. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
5. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
6. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
7. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -
8. STATE OBJECTION. "THE STATE'S OBJECTION TO IS SUSTAINED"
9. STATE OBJECTION "THE OBJECTION IS SUSTAINED"
10. STATE OBJECTION "OBJECTION IS SUSTAINED"
11. STATE OBJECTION "THE LAST ANSWER THAT HAVE AND HE BELIEVED
THAT [THE VICTIM] DID SOMETHING ILLEGAL IS STRICKEN FROM THE RECORD AND THE JURY IS ORDERED TO DISCARD IT"
12. DEFENSE OBJECTION - NO CURATIVE INSTRUCTIONS GIVEN TO THE FACTFINDERS -

ON CROSS EXAMINATION OF THE HONORABLE

SIDEBAR CONFERENCE DECISIONS INDICATE ALL OBJECTIONS INITIATED BY THE STATE

OF ARIZONA (ENUMERATED AS STATE OBJECTIONS

) WERE ACCORDINGLY CONVEYED TO THE FACTFINDERS IN A CLEAR,

MEANINGFUL AND INTELLIGENT MANNER. CONTRARY, ALL OBJECTIONS INITIATED BY THE DEFENSE (ENUMERATED AS DEFENSE OBJECTIONS

) WERE NEVER CONVEYED TO THE FACTFINDERS. FURTHER EXAMINATION OF THESE CHRONOLOGICAL SEQUENCE OF

SIDEBAR CONFERENCE DECISIONS TO REVEAL THE HONORABLE

ACTIONS OR LACK OF SAME

INTENTIONAL,

WHEREAS, FAVORABLE DECISIONS TO THE STATE OF ARIZONA'S CASE-IN-CHARGE OCCURRED BEHIND DEFENSE OBJECTION

AND BEING

SILHETTING ADDRESS.

APPLICATION OF THE RULES OF EVIDENCE ISSUED BY THE HONORABLE

SPECIFICALLY INSTRUCTED THE FACTFINDERS THAT

NO RELEVANT INFORMATION COULD BE KEPT FROM THEM.

FACTFINDERS MUST FOLLOW THESE JURY INSTRUCTIONS:

FACTFINDERS ARE TO DETERMINE THE FACTS ONLY FROM THE EVIDENCE PRODUCED IN COURT.

"EVIDENCE MEANING THE TESTIMONY OF WITNESSES..." AND

IF THE COURT SUSTAINED AN OBJECTION TO A LATTER'S QUESTION, FACTFINDERS MUST DISREGARD IT

AND ONLY ANSWER GIVEN.

AMONG THE PURPOSES OF SIDEBAR CONFERENCES IS NOT TO WITHHOLD RELEVANT EVIDENCE FROM THE FACTFINDERS BUT TO DECIDE HOW TO PRESENT EVIDENCE UNDER THE RULES OF EVIDENCE TO AVOID CONFUSION AND ERROR; AND, "SUSTAINING" OR "OVSROWING" OBJECTIONS THEN TIMELY CONVEYING SAID DECISIONS TO THE FACTFINDERS IS TO GUIDE THEM TO WHAT IS OR IS NOT TO BE CONSIDERED IN THEIR QUEST TO SEEK THE TRUTH. WHEN A TRIAL COURT FAILS IN ITS JUDICIAL RESPONSIBILITIES TO PROPERLY CONVEY DECISIONS DEALING WITH ADMISSION OF EVIDENCE,

ALL AFFECTED PARTIES ARE SUBJECT TO PREJUDICIAL HARM, BUT, WHEN A TRIAL JUDGE SUCH AS THE HONORABLE

ELECTS TO DIRECT

HIS ACTIONS TO SHOWING FAVORITISM TOWARDS ONE (1) PARTY OVER THE DETRIMENT OF THE OPPOSING PARTY LIES BEYOND THE PERIMETERS OF

PREJUDICE. HERE, THERE IS NO QUESTION THE HONORABLE

INTENTIONALLY WITHHELD SIDEBAR CONFERENCE DECISIONS MADE FROM

OBJECTIONS INITIATED BY THE DEFENSE; THUS, THE FACTFINDERS NEVER RECEIVED THE BENEFITS OF THESE DECISIONS IN THEIR DELIBERATIONS.

LISTED BELOW ARE TWO (2) OTHER EXAMPLES OF THE SAME CONSTITUTIONAL VIOLATION OF DUE PROCESS AND FAIR TRIAL.

THE STATE OF ARIZONA V.

COUNTY SUPERIOR COURT

THE HONORABLE

THE STATE OF ARIZONA V.

COUNTY

COURT

THE ONLY DIFFERENCE BETWEEN THE ILLUSTRATED CASE OF

THE STATE OF ARIZONA v.

1

COUNTY

COURT

THE HONORABLE

AND, THE TWO (2) CASES MENTIONED ABOVE, IN THE ILLUSTRATED CASE, THE HONORABLE CONVENED ONLY SIDEBAR CONFERENCES
DECISIONS INITIATED BY THE STATE OF ARIZONA TO THE FACTFINDERS, WHEREAS, THE CASES HELD IN AND COURTS
FAILED TO CONSIDER ANY DECISIONS MADE AT SIDEBAR CONFERENCES, REGARDLESS OF WHOM INITIATED THE OBJECTION.

WHILE INCARCERATED AS A PRISONER OF THE STATE OF ARIZONA, I HAVE REVIEWED SEPARATE TRIAL TRANSCRIPTS, OF

HAVE SHOWN VARYING DEGREES OF THIS PARTICULAR CONSTITUTIONAL VIOLATION. THIS REPRESENTS A
POINT FIVE PERCENT OF ARIZONA COURTS (TRIAL COURTS) ARE INFLUENCING THE OUTCOME OF A TRIAL BY DELIBERATELY
WITHHOLDING RELEVANT DECISIONS THAT THE COURT ITSELF MADE AT SIDEBAR CONFERENCES, FROM JUDGES. IN OTHER, THE
POSSIBILITY OF RECEIVING A FAIR TRIAL IN THE STATE OF ARIZONA IS LESS THAN ONE (1) IN FOUR (4).

THE STATISTICS REFLECT VARIES COURT JUDGES THE STATE OF ARIZONA, WHEREIN, THE TRIAL COURT JUDGES
CONDUCTED RECORDED SIDEBAR CONFERENCES. THESE STATISTICS MAYBE CONSIDERABLE, WHEREAS, THEY DO NOT REFLECT
CASES WHICH WERE NOT FACTORED IN DUE TO UNRECORDED SIDEBAR CONFERENCE. IF THESE ARE FACTORED IN, THE STATISTICS COULD
RISE AS HIGH AS PERCENT.

IT IS DISHEARTENING A WELL-TRAINED PROFESSIONAL IN THE SCIENCE OF LAW, WHOM HAS REACHED THE Pinnacle OF HIS
PROFESSION - JUDGESHIP WOULD KNOWFULLY COMMIT SUCH UNPROFESSIONAL, UNETHICALLY CHAMPED CONSTITUTIONAL VIOLATIONS OF
INDIVIDUAL RIGHTS AGAINST CITIZENS WHO ARE PRESUMED INNOCENT; A JUDGE WHOM TOOK AN OATH TO PROTECT AND PRESERVE THE
CONSTITUTIONAL RIGHTS OF ALL. THE DELIBERATE ACTIONS OF THE HONORABLE AND SOME OF HIS BRETHREN CAN ONLY BE
VIEWED AS KNOWINGLY, VOLUNTARILY AND INTENTIONALLY MADE, IN OTHER WORDS "JUDICIAL MISCONDUCT"; NOT, THE HONORABLE

UPPED THE ante BY INTENTIONALLY TIPPING THE SCALES OF JUSTICE IN FAVOR OF THE STATE OF ARIZONA IS
NOTHING SHORT OF "JUDICIAL BIAS", WHEREAS, THE HONORABLE VOLUNTARILY AND INTENTIONALLY VIOLATED
THE DUE PROCESS AND FAIR TRIAL CLAUSES OF THE FIFTH AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION; ARTICLE II,
SECTIONS 4 AND 24 OF THE ARIZONA CONSTITUTION; AND, ARIZONA COURT RULES ON JUDICIAL ETHICS, RULE 81 ARIZONA CODE
OF JUDICIAL CONDUCT, STATING IN PART:

CANON 1. A JUDGE SHALL UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY.

AN INDEPENDENT AND HONORABLE JUDICIARY IS INDISPENSIBLE TO JUSTICE IN OUR SOCIETY. A JUDGE SHOULD PARTICIPATE IN ESTABLISHING, MAINTAINING AND ENFORCING HIGH STANDARDS OF CONDUCT, AND SHALL PERSONALLY OBSERVE THOSE STANDARDS SO THAT THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY WILL BE PRESERVED.

FURTHER CLARIFIED IN,

... A JUDICIARY OF INTEGRITY IS ONE IN WHICH JUDGES ARE KNOWN FOR THEIR PROBITY, FAIRNESS, HONESTY, OPENNESS, AND SINCERITY OF CHARACTER.

CANON 2. A JUDGE SHALL PERFORM ALL DUTIES OF JUDICIAL OFFICE IMPARTIALLY AND DILIGENTLY.

a. (5) A JUDGE SHALL PERFORM JUDICIAL DUTIES WITHOUT BIAS OR PREJUDICE. A JUDGE SHALL NOT, IN THE PERFORMANCE OF JUDICIAL DUTIES, BY WORDS OR MANIFEST BIAS OR PREJUDICE...

FURTHER CLARIFIED IN, COMMENTARY

A JUDGE SHALL PERFORM JUDICIAL DUTIES IMPARTIALLY AND FAIRLY. A JUDGE WHO MANIFESTS BIAS ON ANY BASIS IN A PROCEEDING IMPAIRS THE FAIRNESS OF THE PROCEEDINGS

NATURALLY, I WOULD APPRECIATE ANY ASSISTANCE FROM YOUR ASSOCIATION IN ASSISTING MY CAUSE, BUT MY PRIMARY REASON FOR BRING THIS ISSUE TO LIGHT IS A HOPE YOUR ASSOCIATION WILL INVESTIGATE AND BRING ADDRESSNESS TO THE COMMUNITY OF THESE FLAGRANT VIOLATIONS OF DUE PROCESS AND FAIR TRIAL; TO EXPOSE THESE VIOLATORS WHO INTENTIONALLY DISREGARD THE VALUES, LAWS AND FREEDOMS FORGED BY THE STATE AND FEDERAL CONSTITUTIONS; TO REQUIRE THESE VIOLATORS TO OWN RESPONSIBILITY FOR THEIR TOTAL DISREGARD OF THE CODE OF ETHICS, JUDICIAL SYSTEM AND CONSTITUTIONS. A JUDICIARY SYSTEM THAT STANDS TO PROTECT AND SERVE. MY INTENTIONS ARE TO INFORM THE JUDICIAL AND PUBLIC OF THESE SUPERIOR COURT JUDGES BEHAVIOR.

I SERIOUSLY HOPE YOUR ASSOCIATION WILL UNDERTAKE THIS CAUSE; A CAUSE TO PRESERVE THE VERY IDEA THAT DUE PROCESS AND FAIR TRIAL ARE STILL THE CORNERSTONE - OF OUR STATE AND FEDERAL CONSTITUTIONS; THAT JUDGES ARE NOT ABOVE THE LAW. MY INTENT IS TO PURSUE FULL ADDRESS.

PLEASE FEEL FREE TO CONTACT ME AT THE FOLLOWING ADDRESS: