

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-097

Judge:	No. 1000414924A
Complainant:	No. 1000414924B

ORDER

The complainant alleged a superior court judge was biased.

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 any of the judge's rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: April 23, 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 23, 2014.

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

CONFIDENTIAL

State of Arizona

Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2014-097

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

Please see Attachments!

Actual Complaint +
Vindictive Prosecution motion

Corporation Commission on Judicial Conduct Complaint.

Complaint Against: Judge

The Defendant believes that, the only way this Commission could understand what's Constitutionally wrong with the way Judge has handled this case and the Totality of Mistake's and what appears to this Defendant to be Prohibited Conduct as a Court Judge, you would have to look at this Document in its entirety. This Case has many twists and turns in it that, I'm hoping that once its review that you to will find that something horribly went wrong! The Defendant is hoping that this body would look at the facts of this case and by looking at these well known facts that this Body in the Interest of Justice would call Judge on the decisions that he has made. The Defendant is only asking for Fairness and Equality in the rule of law something that all Americans should require even if accused of a crime. To be totally honest I'm pleading no I'm begging for this Commission's Help! I the Defendant believes to get to the Facts of this case, it going to take an outside Entity to look at the facts, someone who doesn't share any interest in this case. This is the sole and only reason this Defendant is reaching out to this Commission. I'm presenting this case to this body knowing that if you did nothing, that I the Defendant would be faced even with more Extreme Prejudice for doing so then I have already been subject to by Judge and for reaching out to you! However, I'm going to have faith in God that you would do the right thing. If there has ever been a case presented to this body that's crying out for your attention, this is the one!

Thank You!

It is the Defendants Belief That Judge _____ has violated the Defendants Constitutional Rights and has shown an Extreme amount of Prejudice toward the defendant by helping the prosecution to punish the defendant before the commencement of trial and the obvious violation of his Speedy Trial Rights by _____ and Judge _____ as well as it appears to show by his actions that he falls below the Professional Standards of the Office at which he holds in the Defendants opinion, by his unwavering support of this Vindictive Prosecutor who has been openly accused of Miss Conduct. Judge _____ allowed the Prosecutor to avoid **Oral Arguments** which would have forced Judge _____ to drop this entire case against Defendant with prejudice as requested by Mr. _____ former Prosecutor and the Defendants Attorney in his Motion accusing _____ of Vindictive Prosecution and Miss Conduct in his complaint to Judge _____ This Vindictive Prosecution Motion is Included in this Complaint!

How can Judge _____ Shield this Prosecutor from answering to the Serious Nature of and Allegation as this? Judge _____ has refused to drop this case with prejudice as required when a prosecutor blatantly and deliberately breaks the State Bar Codes of Conduct and infringes on the Defendants rights of Due Process and Double Jeopardy in the Defendants opinion and he has condoned and undeniably welcomed the prosecutor's behavior because, it was similar to his own and he has violated The Defendants other Constitutional Rights by doing so in this Defendants opinion.

The Defendant begs this body to find out why the Cooperation by all 3 judicial Officers to punish the Defendant was necessary before trial could commence because, the Defendant put up the most resistance to this out right and blatant refusal of the Courts to follow its own laws. How could this happen? How could the rule of law not apply in both Judges Court Room?

How was Prosecutor _____ able to outright harass Defendants in Open Court? How was she able to punish Defendants using High Cash Only Bonds and using inaccurate and false and miss leading statements in court in also doing the same even after being accused of Miss Conduct by former Prosecutor and Defense Attorney _____ and then being able to continue with Vindictive Prosecution

of this case in Judge _____ Court Room after a _____ was granted, while both Judges turned a blind eye to her aggressive and unprofessional behavior? How can there not be any punishment for an Officer of the Court who is accused of Vindictive Prosecution and Misconduct in violation of the Defendant Due Process Rights? How can this same Prosecutor be allowed to Continue with these vicious and unprecedented acts of aggression and punishment of the defendant before trial could commence to determine Guilt or Innocence? How can a setting Judge allow her to just walk away with her case fully intact after being accused of Miss Conduct and then be able to pursue her vicious and Unprecedented Acts of Cruelty in another Court Room against the Defendant in the presence of another Judge?

How could Judge _____ and Judge _____ aide and abide by all the demands of this Prosecutors to punish Defendant _____ before trial and without any violations of the Defendant? How can the Defendant after 2 and half years of court and never being late for Court nor ever missing a court date with an Impeccable Release Record by Pretrial Services for those years, Mrs.

_____ to be on Alcohol Monitoring and Drug Monitoring, G.P.S Monitoring, Tracking Device, Curfew _____ am to _____ and Pretrial Services Monitoring abroad and at home? How could the Defendant be arrested and Placed in Jail only because he requested a _____ change of Judge even being currently out on bond and not one past or present violations of release?

According to the Laws in this great State of Arizona, a person is presumed innocent until proven guilty, so how is it that the Defendant in this case can be presumed guilty before innocence which is obvious by all Judicial Officers of the court haven been engaged in an open and outright harassment of the Defendant? How can Extreme Prejudice be not involved and what the Defendant perceived as an open and outright hatred of the Defendant by both Judges only because, defendant exercised his right to a new judge? It's appears that because, of the obvious facts of this case that, all 3 Judicial Officers are working in consolidation or in concealment of precious facts that would over throw this case and set some 60 plus defendants free. The truth is the truth no matter what, one does to hide the truth!

and set some 60 plus defendants free. The truth is the truth no matter what, one does to hide the truth!

Judges have a lot of power and they are supposed to be neutral in any conflict that's why I believe they were given the titled of Judge and that's why Court Judges are elected. They are supposed to give there UN bias opinion, they are supposed to protect the laws of this state and defend one's Constitutional Rights. **The most important in my belief is, they are supposed to be fair!!!** From the unset of this case, Judge _____ has never remained neutral or fair to me. Early on in this case, he gave the impression that he would never be fair to me and he was a bully.

Quote from Mrs. _____ inside Judge _____ Court Room, She said to the remaining approximately 20 defendants. (Quote I know you all are just waiting to go to Prison!) Judge _____ was present and he never asked her to quit harassing the Defendants at any time throughout the nearly two years of this case being in his Court Room, this type of behavior is welcomed in both Court Rooms!

I will never forget _____ yelling at Defendant _____ inside Judge _____ Court Room saying Quote, (I, Have already beat 3 of your motions and I'm going to beat all the rest!) She yelled this for all the remaining 20 plus defendants to hear. I kept saying to myself during this hearing that, how can a Prosecutor know before- hand that she will beat all of a defendants motions, even before being heard by Judge _____ did she have special powers are something? Even more _____ bosses were in the Court Room that morning as she was showing off for them according to my Attorney Mr. _____ and the Defendant s were watching while Mrs. _____ was yelling at this defendant in the presence of his Attorney and for the other defendants to hear. She yelled at the Defendant Saying Quote (You will not get a _____ year Plea Bargain; you are the target of this case). _____ was putting on an open display of over confidence

for everyone to see! It appeared that Mrs. knew what the outcome of this case was going to be beforehand, how can this be?

The fact of the matter, by all of Judge ruling is, she did know before what the rulings would be, it appears she had a setting Judge in her pocket and in her corner, is how she knew. He openly supported her and was very fond of her and allowed her to harass the Defendants in Open Court. He gave the impression that he would do whatever Prosecutor told him to do. She felt not only over confident in this case but, she also felt invincible having Judge in her corner and all the power that comes with having a Court Judge in your control and in one's pocket.

She spoke with authority and knowing that all challenges to this Wire Tap and to any other illegal Acts by these cops presented in varies "Defendants Motions" would be denied by Judge even before they were heard and she was right in being over confident because, Judge denial of all the Motions presented to Judge that were denied, gave her the confidence and the right to feel this way. Judge did exactly as had predicted and had indicated and commanded, how could this be? Here's an Example of the Motions that were denied that requires a Warrant by the Court Rulings, there were no warrants for these powerful Tools used by the D.E.A. Sting Ray Device! GPS Device! All motions and Challenges to the use of Law Enforcement Electronic Devices that didn't have a Warrant in which the Court requires one were denied!

FIRST SERIES OF MISTAKES MADE BY THE AFFIANTS IN THIS CASE!

I want this body to take a close look at this case. The Defendants house was the first of some to houses to be search on The D.E.A. Agent and Lead Detective have already made their first series, of many mistakes to come. They have raided a Home and totally destroyed the home and took all property at the home and found no illegal Drugs or anything that would support their theory that Cocaine was at the home and being sold at the home, no

guns or ledgers. Nothing that was indicated that would be in the **Search Warrant** that these officers swore under oath, would be in the house that was said to be of an illegal nature! Then they would like everyone to believe that every I was dotted and every T was crossed in this Application for Wire Tap. They want everyone to believe that the Wire Tap was legitimate and flawless. If this is the case then why are these Judges protecting its secrecy? Why is everyone in the enforcement of this Wire Tap want this thing silenced? I'm really hoping that this committee wants to know the same thing, why?

Then only after a Filing of a "Civil Lawsuit" in this case, the Police Dept. Were forced to do an **About Face** and pay the Defendant in a Settlement! They knew that it would make more since to pay the Defendant then to allow these important facts to get into the public like. Why would officers destroy a home that you already had keys to and knew the Defendant lived alone and how the Defendant was begging you that early morning not to Destroy his home and how could monies come up missing in the home and not one Cop be question about the missing money? How could **dollars in cash just walk right out the door?** How it could come up missing from the home especially **when the Search Warrant was looking for signs of Money Laundering, they expected to find bundles of Cash?** how could they leave the home un attended when you leave a rather Large Pet left, hanging out in front of the house that could attack School Children and then the Next Door Neighbor called the Police Dept. once all Cops left, to come back out to lock up house and tend to vicious pet How could they confiscate the Defendants House and even cars that didn't belong to Defendant like a that was titled to that had been purchased new back and having nothing to do with this case. How could you take property from a home that you didn't find illegal Drugs, Weapons or Ledgers in that, was sworn to be in the home according to the Search Warrant and even more without having a financials done to determine if indeed the owner was living above his means. How could you freeze all Bank Accounts and Credit Cards if you haven't yet determined if these were from illegal means?

How could you take a home that was never subject to **Seizure?** Then turn around and have the Prosecutor try to make a deal with the Defendant to drop his Civil Case in exchange for Probation which is of

Court Record? She tried to get her Cop friends out of the Civil Matter by offering the Defendant probation in exchange and when refused by the Defendant, he would never receive another plea deal as of to date as a matter of Court Record.

The City of paid the Defendant \$ dollars for the theft and damage of the home on behalf of the Police Officers. A Informant that's actively working off Charges for the State and for had admitted to that the Defendant quit Selling Cocaine back when his mother died and he won his Lawsuit for the negligent death of his mother and refusing to Drop her case against defendant as a means of Vindictive Prosecution and Prosecutorial Abuse and Misconduct supported by first and now Judge .

All 3 who defendant feels is working in consolidation and in Concealment of precious facts of this cases illegitimate Wire Taps Application, inception and Authorization. To make sure that absolutely no one will be able to challenge it even more, all three have made a consolidated effort to prejudice the defendant and to make sure Defendant is convicted with any and all means necessary because, the Defendant has put up the most resistance to all their unjust ways by not following their own laws and their illegal means to punish the Defendant.

The Defendant has been subjected since to Extreme and Unbelievable Amounts of Prejudice in Judicial Vindictiveness by Court Room and now in Judge Court Room and the same Prosecutor who has, a History of being Vindictive first and Judge Court Room and has been out right accused of it by former Prosecutor and now Defense Attorney and then now in Judge Court Room with both Judges turning a blind eye to the behavior of this Prosecutor and have a un-wavering amount of support for this prosecutor, even with all the inconsistencies in her case and the actions of the prosecutor and her behavior are now being reviewed by the State Bar .

The Defendant in this case would like this body to pull all Transcripts of this Case. He begs this Body to dig into why it's so important that the **Wire Tap Authorization and Application never be challenged**. Why it's so important that

any and all Challenges to this case be denied. The Affiants deliberately and falsely presented false and incorrect information to the Courts based on their Interviews. This Wire Tap is authored by 2 Officers, none of which has ever done a Wire Tap before this one. Special Agent _____ D.E.A. Agent and _____ who in their interviews were caught in a number of inconsistencies and untruth, are throughout this Legal Document and during their interviews by **Defendant _____ well-known lawyer _____** This Agent and Lead Detective didn't have **Probable Cause** nor have they ever proven **Necessity** which is a requirement by law for this very **Intrusive Warrant**.

In fact, if one was to take away all the untruths and miss leading and incorrect statements in this Document, it couldn't stand upon it's on and would have to be thrown out!!! This is why the Defendants believe that any and all challenges to this case, no matter the challenges being of a truthful nature will be denied. Both Judge _____ and Judge _____ have blocked any and all attempts to challenge this Faulty Legal Warrant as a matter of Court Record. I believe that it's equally important for this body to seek the truth in how all of these defendants were convicted even, if it meant that people could go free!

Court Judges eat lunch together and hang out together, so it isn't hard to believe that Judge _____ and Judge _____ haven't discussed this case and both appear to have pursued a consolidated effort to deny all and any facts of this case from ever being heard because of, both undeniable support of the Vindictive Prosecutor and her behavior and allowing this prosecutor to punish the Defendant at will and without restriction, one I would think or have to ask why? Because they may eat lunch together doesn't mean anything however; because, there support for this Vindictive Prosecutor is identical and the rulings are the same speaks loudly! My mother always told me the Defendant that, one's actions speak louder than words and if you look at the actions of both of these judicial officers, one would have to ask why the Extreme Prejudice towards the Defendant by both Judicial Officers, why this Prosecutor hasn't been cautioned and has been able to act viciously with immunity and why this prosecutor has never been subjected to any type of punishment what so ever for her behavior and why its condoned and supported by both _____ Court Judges? Why there

was never **Oral Arguments** or nor a **remedy** for the Vindictive Prosecution Motion?

The Defendant feels that it can't get any worse than it already is, the Defendant can't win a motion in any Court Room no matter the truth that would, change the out come of this case even when the Court has already ruled that Probable Cause and Necessity is a requirement for the Authorization of any Wire Tap Application and the Defendant will not and cannot get a Fair Hearing with the present conditions in place!

My lawyer Mr. has a uphill battle at making a difference in this case but, how can we have a chance when these Judges have made it clear from the onset of this case that they are aligned with the Prosecutor who is Vindictive and Vicious and the fact that they are not neutral and have never been and its obvious by all the rulings in the Prosecutions favor and the fact that both Judges Support the Vindictive Actions of this prosecutor and by supporting her actions they have lead the Defendant to believe that they have Corrupted their Offices and Violated the Defendants Constitutional rights of Due Process and equality and fairness in the law, in the Defendants opinion.

I pray that this body at least intervenes. I pray that this body at least look at the facts of this Wire Tap Application and the Interviews of both Special Agent and by Lawyer and his Motion to dismiss this case do to the flaws in this application. I guarantee that this body will see that these Cops intent ally misled Court Judge as all the other Lawyers have seen it. I pray that this body don't carry on in the same tradition as both judges who turn a blind eye to Miss Conduct and Miss Behavior. I pray that this body just look at the facts of this case.

Evan more alarming, Mr. filed a Vindictive Prosecution Motion against and was asking for Oral Arguments. Judge would not allow it and just dismissed the case without prejudice which the Prosecution received no type of punishment for her actions and knowing that she can still pursue her Vindictive Actions in another Court Room. How can this Be? He refused to dismiss the case in its entirety which is a requirement because, of the Miss Conduct of the prosecutor. This

is why Judge _____ didn't allow Oral Arguments. The prosecutor should have been allowed to proceed with the one charge of Alleged Marijuana Sale which would have been dismissed because of a Rule 8 Violation. _____ tried to circumvent a New Time Clock because, she wasn't prepared to go to trial and Judge _____ had previously ruled that no more time would be given!

Judge _____ would not allow oral arguments because, he too has something to hide even though they would be requested by Defense Attorney, so that Prosecutor _____ could continue the Prejudice in the New Case and her Vindictive Behavior could go Un Challenged and Un disciplined and Uncheck in the new case with Judge _____.

The Defendant cant understand why, on the first day this case was presented to Judge _____; why then Judge _____ would show Defendant and Unusual amount of Prejudice from the unset of this case in her Court Room by enforcing Home Arrest upon the Defendant even when it wasn't a requirement by law or warranted by any type of violations by the Defendant? This act alone appears to be a clear violation of Due Process! This was done in support of the Prosecutions and Judge _____ attempt to punish the defendant for exercising the Defendants right to a 10.1 change of Judge. If not, then can this Body tell me why it was done?

She had went from Judge _____ Court Room to Judge _____ Court Room and was still punishing the Defendant by imposing Home Arrest upon the defendant after putting out a Warrant for the Defendants Arrest and openly harassing the Defendant and the new Judge openly supporting the decision. Judge _____ knew that her actions were wrong in punishing the Defendant because, she never commented why she had ruled in favor of the prosecution; she just left her decision blank. It wasn't hard for the Defendant to see that a consolidated effort had been formed to punish and harass the Defendant because, he had never met this Judge prior to this date and this Judge _____ O'Conner showing that she has a personal interest in making sure that the Defendant is found guilty by all of her rulings!

This is why I believe the rule of law was implemented and it has to be fair to everyone even if, one is accused of a crime. **If and in fact all the Fruit from the**

Court, please look at the Evidence. Judge and would make sure that no challenges would succeed. Anyone looking at this **Probable Cause Statement** and after reading both Affiants Interview's versus the sworn application and the investigation, could see the Flaws from the very beginning. They simply just didn't have all the necessary requirements by law as a matter of fact!

Quote by Lead Detective in application of Wire Tap. **Line 128 in the Necessity Clause of this application, this is a direct Quote taken from the Wire Tap Application itself below.** One thing that should stick out in this statement is that **Conventional Investigative Techniques is either working are they are not. You can't have it both ways in seeking this very Intrusive Warrant. You can't have this powerful tool only because you want one!** This is why the **Court installed Strict Guidelines** in which to follow before **Authorization** can be **given!** Even more alarming, When **Judge was quick at denying a Hearing** to examine the inconsistencies and False Statements of the Affiants involved in the Authorization of this Wire Tap, he overlooked the most obvious that this Warrant Required (Probable Cause and Necessity!)

I that this Body will not overturn a Judge's Ruling however, there is obvious **Extreme Prejudice** that, I believe played a role here. I believe that if this body allowed this to be swept under the rug, it would be devastating to the fairness of the Law and equality of the Law something that, all Americans look forward to. Even Judges and Prosecutors have to obey the Law; no one should or supposed to be above the law!

Judge as a matter of Court Record never addresses the Necessity Part of the Motions denial. The Police Dept. never used **Drugs Sniffing Dogs** to help in the finding of Drugs on the person of Defendant so how can the Police Dept. prove Necessity when they never used one the most important tools of their Trade by the D.E.A and the Police Dept. to catch Drugs on the Defendant which is the **Police Dog** which they then could have possibly found Drugs on the Defendant and then released Defendant after Arrest and allowed him to carry on with his alleged illegal business and this would have given them

on the Defendant and then released Defendant after Arrest and allowed him to carry on with his alleged illegal business and this would have given them **Probable Cause** to seek this Intrusive Warrant but, even then, they would have to exhaust other Police tactics before Authorization of this Warrant can be given according to the Court Guild lines in the Defendants opinion.

Defendant was never caught with Drugs on his person during this investigation. Judge refused to comment on the Necessity part of this motion which, his Denial clearly states. His refusal to answer that part when denying the first attempt at uncovering the flaws suggest that even he knows the flaws involved in its Authorization. Defense Lawyer for the Defendant, argued that morning for the Hearing saying that if you take out the Inconsistencies and untruths in the case they couldn't possibly have **Probable Cause and farther more they haven't proved Necessity!** former Prosecutor and now Defense Attorney who was familiar with this Search Warrant and had warned the Defendant that the Judge was very fond of for some reason unknown to her, before giving her arguments. All arguments that morning would be denied. was arguing on death ears.

At the closing of this case, the Police Department went to the media and celebrated the Arrest and the indictments of some plus defendants, they high five each other, they celebrated the victory. This was a Multi- Jurisdictional Task Force who worked this case for Months. So it's hard for any Judge to go back in and admit they have made a terrible mistake and that the Wire Tap Application contained a huge amount of flaws. After all they did find a number of Defendants with Cocaine in their possession, so it's easier to hide the truth and just go forward with its inception even more. Rather than peel back all the untruths and layers of deceit by these two Affiants and allow some plus defendants to go free because, of the flaws in this document.

It would hurt the states credibility to admit something went wrong at this point after they doubled down on its legitimacy by going to the media, and saluted these Officers for a Job Well done, then to admit the truth. However, the payout

of dollars by the City of on behalf of the affiant

shows that a whole lot went wrong. It would bring a reasonable doubt of UN Fairness and give the feeling that persons of color are not being treated equal, up under the law. If the law is going to be fair, it has to be fair to everyone and not just a few. It would be to devastating to go back and do a reversal, This is why these flaws and inconsistencies' of these Lead Officers must and will be concealed, no Judge in this case is wanting or willing to put this Wire Taps Authorization and Application and its legitimacy to the test especially when many of defendants have already pleaded guilty, when faced with the Wire Taps Evidence. It's easier to just cover it up, it's easier just to conceal all the inconsistencies and facts of untruths, it's easier to farther prejudice the Defendants because, they were nearly all minority's, they was hoping that no one would notice and no one would care because, some of these guys were actually bad actors and Gang Members so no one would notice and no one would care if these guys went to Prison because of this Faulty Wire Tap. It's would be too greater loss to set this thing in reverse! This Defendant is saying to not act upon the known truth, would even be more devastating to the rule of law and to fairness within the law.

The Defendant wants to share with this Body that, all the Defendants weren't bad and all wasn't caught with Drugs on their person are in their home! There were Defendants who Judge gave High and Extreme Cash only Bonds so that they couldn't make Bond and Judge and knew that it was just a matter of time because, this was a pre calculated effort by Judge and by that, all defendants would succumb to the **harsh and Extreme Tactics** of the two and because, of the Extreme Condition of Jail, there was a few that accepted Probation are went to Prison as a means to get out of Jail. Prison is even better than Jail, so they would admit to breaking the law to move on even knowing that there wasn't enough evidence for a conviction and that they were innocent but, grew tired of this Unprecedented Treatment!

One would wonder if you are innocent then why anyone would plead guilty, wouldn't you have to be guilty. Imagine having a Judge in a case that was, being prejudice towards you and a prosecutor that was allowed to harass you and both

threaten by Judge and Imagine this prejudice alone and then imagine the Judge not allowing your family members to see you while you are in the Court Room and then setting in Jail for years because, the Prosecutor was never prepared to go to trial in judge Court Room and he too, was hoping these tactics produced Guilty Pleas while and Posse abuses you and treats like you are worth less than his animals that, he tends to and he's boasted of this and then imagine family members giving up on you as the years went by and then imaging losing hope! I'm saying the strongest can become weak under these conditions. It was either that or set in Jail, until this case is over in which there are 3 of the defendants who are doing just that, neither Judge and Prosecutor had not anticipated. It's not hard to see that they want this Defendant behind bars too but they, haven't found a legal way to achieve that desire. So they continue with the Unprecedented Prejudice of the Defendant and Cops along with Electronic Monitoring following the defendants every moves.

NECESSITY STATEMENT

128. Conventional investigative techniques have, to some extent, been successful in identifying members of, and some of the resources used, by the). However, the continued use of these techniques will not allow for the identification and/or prosecution of individuals supplying, transporting, storing and distributing cocaine and cocaine-base to and for the

Detective Quote Above and Special Agent
Probable Cause Statement below!

PROBABLE CAUSE

16. In DEA Special Agents were conducting surveillance in a neighborhood near Street, Arizona regarding an unrelated investigation. During surveillance, agents observed a vehicle that drew their attention described as a black bearing Arizona license drive through the area. ("OG" is commonly known to stand for the title "Original Gangster" which, among gang members, refers to individuals who are respected in the gang community). At the conclusion of the unrelated surveillance, agents conducted a records check on the and learned that it is registered to at Street, Arizona. During a public records check, agents located a driver's license record for a DOB at Street, Arizona. Based upon a public records check, it was learned that the residence located Street, is owned by and was purchased by him in

Prejudicial and Miss leading Probable Cause Statement!

One of the things that the Affiants have failed to mention in this Probable Cause Statement is that, Defendant was never identified through Court Record as a Gang Member during this Investigation. In fact Defendant was never a Identified as a Gang Member as a matter of Court Record so this Statement is false and Miss leading and Prejudicial. To Mislead Judge into Thinking that Defendant was indeed a Gang Member gave Weight to Judge Decision. Second " license Plate meaning by this Affiant was false and Misleading of its identification of its meaning term " Styles." A black man can ride down a street with a Personal License Plate reading this and he will be labeled as a Gang Member and be harassed by Police. In Fact the term "O G" is what young black men call other older black man in the first meeting by men who grew up on the South Side of as a way to say hey, what's up, or a way to say hi, what up, a show of Respect to an older Black Man. In Fact I the Defendant, has been called "OG" thousands of time and I the Defendant have never been affiliated with a Gang or a Member of any Gang as a matter of Court Record. It's a slang term between younger

black men as a means of respect. at no time during this Investigation had been caught with Cocaine or was any cocaine in this investigation was ever traced are linked back to So this Probable Cause Statement was prejudicial and heavily flawed. Even more the Inconsistencies go even farther throughout this entire Document like false inflation of Toll Records and Investigation Man hours. It's never been determined if Confidential Informants even exist or if the Confidential Informants are working off Drug Charges or have Felony Records which is something that needs to be known because, Judge has blocked anyone from ever knowing this information or bringing the informants forward. Even worst Judge O'Conner is following in the footsteps of Judge and making sure that no one and I do mean absolutely no one knows, the truth about this investigation. However, now this commission knows the truth now because, the truth is in black and white. I'm asking this commission to please do something about it! Even would have to be released upon the overturning of this Wire Tap. This is why I believe there is a consolidated effort to make sure this never happens!

It wasn't hard to see that these two were in bed together so to say. All and every motions challenging the Legitimacy of this case were denied in his Court Room. After leaving Judge Court Room by a way of a change of Judge and being subjected to an Unbelievable and Extreme amount of Prejudice and Judicial Vindictiveness and Misconduct by Judge and this same Prosecutor whom a complaint is pending with **The State Bar**, and The State Bar recommended that I follow up with a Complaint against both Judges. The defendant was just happy that he was in another Court Room where he could get a Fair Hearing at least, this is what he thought. This happiness would later be shattered and replaced with mental anguish and anxiety and bouts with depression and severe stress once defendant that Prosecutor had an new ally within Judge and the Prejudice would continue on this Judges watch! How could the Prejudice continue in a different Court Room and under a different Judges watch?

Judge starts out her day in the Court Room with a speech on how all inmates are to be treated fair and with respect and all are innocent until proven guilty, It wasn't hard to figure out that she and barrack had previously talked about this case or that her in Judge had previously talked about this case because, she made **Home Arrest** a requirement and wouldn't take me the defendant off of it after the Defendant left Court Room and after the Defendant had been wrongly thrown in Jail without violating any release conditions? The Defendant was wondering how could he be thrown in Jail after not violating any terms of release and being out on Bond and then be force to be on Home Arrest after getting out of Jail which wasn't a Pre Release condition set by Judge

After the Defendants lawyer working tirelessly to get it removed and not one Judge willing to remove it after submitting several motions to have it removed. If this isn't a consolidated effort to punish the Defendant by both Judges then I'm asking this Body to please explain to this Defendant what Laws Authorizes the use of Punishment before the Commencement of Trial?

Judge on the first day of meeting with the Defendant whom he had never seen before or met, she imposed **Harsh and Extreme Release Conditions** upon the Defendant without the Defendant violating any of the conditions of his Release even more, the Defendant had a Different set of Release Conditions in Judge Court Room and Judge Court Room because, the prosecutor had preceded with both cases to punish and harass defendant. He found himself going to Judge Courtroom and then to Judge Court Room on the same case for months and after nearly 2 years of release and an impeccable release record by Pre Trial Services Agent Mrs. Both Judges new that there were 2 different sets of release orders for the defendant and both knew that the Prosecutor in the case was pursuing the same case in 2 different Court Rooms and both were okay with that! How can this be?

Judge would follow in the Footsteps of Judge denying all inquiries of this Faulty Wire Tap and its Authorization and farther Prejudicing the

Defendant and Punishing the Defendant. Like judge she would deny all Defendants Motion on any and all challenges to this case! Like Judge she would show an immediate and unusual and Extreme amount of Prejudice towards the Defendant and openly help seek a Conviction of the defendant. Like Judge she would form an allegiance with Prosecutor and Judge and intentionally harass and punished the defendant and turn a blind eye to the behavior of this Prosecutor.

Lead D.E.A. Agent and Co Author of Wire Tap whom Defendant filled a Lawsuit against, had never done a Wire Tap Application and of this Magnitude, it was their first one and both had been caught in a number of inconsistencies and untruths which was overlooked by Judge whom the Defendant believes was on purpose. The Defendant asks how could anyone looking at this thing and then looking at the Interviews of both Affiants and not have some serious questions? Both officers misled the Court Judge who signed the Warrant Judge who appears to be a fair Judge unlike Judge and Judge, from my experience. Judge must have known at that time it would be a Quagmire for the state, after all the hard work gone into presenting this Warrant and the fact that, so many defendants had been caught with Drugs. D.E.A. Agent Bret and were there that morning and Judge wouldn't let them down. So many Man hours of time went into this thing and with the boasting to the Media of its success, so many people have already pleaded guilty because, of this Faulty Wire Tap and all would be set free, all convictions would have to be over turned, if the facts got out.

Prosecutor and Judge and Judge wasn't going to allow this to be reverse for any reason no matter the untruths in the Authorization of this Search Warrant. To anyone who wants to question its legitimacy would face stiff and unprecedented resistance!

Defendant who was caught with 2 and a half pounds of Pure Cocaine was allowed to get out of Jail without any major Pre Condition of Release. All he had to do was Post Bond. He didn't have to have any of the Harsh Release Requirements of the Defendant who was not at any time caught with Drugs or Weapons or Drug Ledgers as Indicated on the Search Warrant that, was sworn to be in his home nor any of the prior Defendants who were released who Judge and made sure had Harsh and Extreme Release Conditions were the norm especially if you were Black or Latino..

One might confer that and Judge just made a mistake. I would love to differ on this you see, there were no mistakes that he was released without the Extreme Release Conditions of the 15 or more other Defendants. One would also say that he was a Snitch for the Prosecution. The Defendant he had not agreed to be a Snitch, the reason he had got such favors by Judge and unbeknownst to and his Lawyer at that time is because, his Lawyer was the first Lawyer to openly challenge the Wire Tap however, he had only threaten to file it with Prosecutor at this point, he had not filed his opposition to the Faulty Wire Tap as of yet, he just showed it to while in the Court Room after presenting it to his client and threaten to file it in Judge Court Room.

who I then assumed, informed Judge that they had a problem. client unbeknownst to his client was released without any restrictions other than Bond shortly afterwards. This was not a mistake. Anyone released in Judge Court Room if you were black or Latino, you were getting Harsh and Extreme Release Conditions whether you wanted them or not and whether you were guilty or not. For to get out of Jail after getting caught with so much dope and not be subject to any Harsh Release Condition and he was not a **snitch** as a matter of Court Record and in fact was pre planned and premeditated by these two Judicial Officers, even Defendant didn't know why he was shown such favor by both Judge and Prosecutor and not any other defendant being given such privileges and not agreeing to be a snitch until he set down in thought about it with the help of other Defendants. Both the judge and prosecutor did not want any challenges to the Wire Tap. They were

hoping that he would just take the plea deal and not have his lawyer file this motion after all he was caught with a lot of drugs! However, had the D.E.A. or Local Law Enforcement following Activities daily and had to have been monitoring his phone conversations.

The Defendant did as perceived possibly by the two Judicial Officers, he went back to Selling Dope and he would make a second mistake by Telling on Jail house Recorded Telephone Conversation that he was going to have his Attorney file this challenge in this case and the fact that the case would be demised and they both would be free and I will assume who was having all Phone Call Conversations Monitored felt that these two were boasting of a forced release and I'm going to assume that she had to relay this Info to Judge because, they worked extremely close together and had been previously seen leaving the Court Room together and the fact that he has never remained neutral in this case.

soon after, forced his Attorney to actually file the first challenge to the legitimacy of its Inception and Authorization. and Judge knew that it would cause serious problems for them because of, this Document obviously not having Probable Cause, nor has the Authors of this Warrant have ever proven Necessity as required by law. His attorney advised him to take the Plea Agreement of 12 years and not have him file the Motion however, he insisted that his Attorney file the Motion! Even while insisting that his Attorney file this motion, his attorney begged him not to do so because of, the Extreme Prejudice, ever so present within this case and within this Court Room, it wasn't hard for Defense Attorney to see at this point that all challenges to this Wire Tap and any other challenges to their conduct, would be denied by Judge because, he had denied up to this point any and all Challenges to this case and he was acting like a bully in his Court Room. .

At this point, which was over a year had passed in this case and not one attorney had even attempted to challenge the Wire Tap even more any and all motions that would change the outcome of this case would be denied by Court Judge I remember over hearing parts of the conversation where Defendant Attorney advised him to take a plea and not have him file the motion. family and

friends encouraged him to do so however, just before his Lawyer
 Arguing this Motion before Judge the Defendant
 house was raided and he was found to be in possession of a
 half-ounce of Pure Cocaine. Mrs. had just scored a big in this
 case! She didn't have to face Defense Attorney,
 argument about the flaws in this case after this score!

However, what was really strange about this Raid is, Prosecutor
 was directly involved with the Raiding Officers who shows up with
 the Cops at his residence that day of the search according to Defendant
 To ride along with these Officers show that
 has an extreme amount of involvement. the Defendant
 after being caught with more Drugs, he accepted the 12 years in prison.

Later all Lawyers joined in on the Motion to Dismiss this Faulty Document
 that's full of Inconsistencies and deceit and to be totally blunt, just
 outright lies and Judge would help and her quest to
 deny all and any attempts to challenge this Faulty Document., Judge
 has blocked all and any attempts to challenge this Faulty
 Document because, it would be an embarrassment to the State and so
 detrimental to this case and so many Defendants have already accepted
 guilty pleas in this case so, all would have to be set free, this must not
 and will not be undone by any judge with a personal involvement not, for
 any reason no matter the truth! Judge nor Judge
 will not allow the truth to be told about this Flawed Warrant! I
 was fortunate to be at the right place to actually hear
 conversation with his lawyer on at least two different occasions!

**This type of behavior by all Justice Officials set the country back
 another 40 years into time. As important as it is to protect the laws
 of this country, (it's also equally important that none are broken in
 the Pursuit of Justice!)**

If and in fact the accusations are true and only an investigation of the
 facts will allow the truth to come forward!. Ask yourself this?, *if it's a sound
 document and all the I's have been dotted and all the T's have been
 crossed as it has been hyped up to be and lead to be then, why so many
 attempts to deny it's scrutiny of the Wire Tap itself.* Why are all two
 Judges not wanting any reviews of this Application? **Why is there an
 outright and an open display of prejudice coming from the**

Prosecution Office and both Judges openly allowing the prejudice as if it were a predetermined law that, was a requirement in both Court Rooms against the remaining Defendants? If it's not a consolidated effort to keep the facts from getting out and a sound Document than, why can't it be tested to be a sound document than let the facts of this Wire Tap speak for itself? If it's a true Legal Warrant , than it should be able to stand on its own and not need the Help of Judges and prosecutors to help make it to stand! It's the Defendants belief that you should not take the word of the Defendant. What I'm begging this Commission to do is to, take the time and go through all of Judge [redacted] Transcripts of this case; I know it will be time consuming but this is the only way to get to the truth! I believe in the Interest of Justice this body should really really, look at this case! This is the only way to get to the Truth! This way you won't have to second guess this Defendant because, the facts will be starring this body in the face! Please go through all Defense Attorney's Motions. Look through all Judge [redacted] Rullings. Last but not least than look at the interviews of the Affiants by Allen [redacted] then look at the Wire Tap Sworn Warrant Than look at the Payout by the City of [redacted] for Defendant [redacted] on behalf of Affiant [redacted] Of all the cases presented to this Commission, this is the one that really begs the attention of an outside entity, someone who doesn't share the same mindset as the people involved in this case but are only concerned about fairness and equality in the rule of law. I'm begging for someone's help! The Defendant believes that, **This case really Stinks and it Stinks bad!**

When Cops lie on the witness stand in the pursuit of Justice and then Judges and Prosecutor's a like protect and co-sign the lies and inconsistencies, than it makes a Mockery out of the entire justice System. One must have Checks and Balances even within the Justice System or just abolish the Arizona Courts and just allow average citizens to interpret the law and local thugs to enforce it. Are Justice leader's in fact honorable? Just being called honorable these days and in this case has proven itself in my opinion to be not enough.

As important as it is to seek Justice and convictions by a Prosecutor and send Defendants to Prison and destroy families' and lives in the process of enforcing of Laws by these Judges, it should be equally important that all the Law Enforcement Officers were in fact abiding by

the law and didn't break the laws while, trying to enforce the laws! I'm really asking this body shouldn't it? They have made many mistakes at the Issuing of Search Warrants of the homes and the taking of property and this was small compared to the mistakes they made in their investigation and the outright untruths in the Sworn Application for the Wire Tap itself!

These Judges and Prosecutor involved in this case live by the Gun. The taking of one's life means nothing to them. Never any mercy is given, both Judges and this Prosecutor have pursued this case with an Iron Fist and Steadfast determination to see that all are found guilty whether you are innocent or not and that, no mercy shall be given ever!

The Constitution of the United States says basically that no one is above the Law and this would have to mean Judges and Prosecutors and Police Officers and citizens, absolutely no one!

Not one Judge or this Prosecutor, was willing to hear or see that these Authors of this Wire Tap have Intentionally misled the court. Back in my younger days, I used to be a Criminal, My Book (The Beast Within, Destroyer of Souls) talks about this. I have never seen in my lifetime in and dealing with the Courts where you couldn't win a motion no matter the truth!

Where Judges and Prosecutors appear to be working together with each other and conceal facts of a case that could turn this case on its back and the ultimate goal of all the Judicial Officers in this case is a conviction at any means necessary, they don't care if you are innocent, that has nothing to do with it, their Job is to protect the Wire Tap with any and all means necessary. Especially when so many had fallen for the same incorrect information and belief that everything was done correctly at the applying of this Wire Tap. No one will admit or is willing to admit something terribly went wrong!

They make sure that lies are never uncovered and the truth is never really known or become known. It's the belief of the Defendant that These 2 Law enforcement officers have something to hide.

Where are the Drugs? Where's the stolen Money?

None of the Items in the Search Warrant that was Indicated in the Search Warrant that was supposed to be in the home like Guns and Drugs which should have been important to the Affiants in this case before, the airing of the Defendants home on the Local **News Station** were ever found including the most important to any Officer in charge of confiscating property and in charge of this case that being **Special Agent** and that's Drugs and Ledgers and Guns because, you are the Authors of this Search Warrant, you swore on oath that these things would be there! None of this was found in the home are on the person of the Defendant at no time throughout this investigation. They then Showed the Defendants House in the Local News early that morning where they were confiscating property at the Defendants home on one Window of the **News Airing** of this segment while showing large amounts of Cocaine confiscated in another window of this same Segment which gave the impression that all of this Cocaine came from the Defendants home. **Even while knowing while it was airing that no illegal drugs had been found on the Defendant or his property. The home should have never made the news!**

These Cops also while showing the Defendants home that morning indicated and farther prejudicing the Defendant by allowing one to believe the Defendant was a Gang Member. The Cops had put on a full display of aggressiveness at the Defendants home by blowing the Defendants Doors off the Hinges when they had the Keys in their hands and the Defendant begging them not to do so and then the tapering off the Entire House with Yellow Tape. The Defendant has never been a Gang Member and his Book (The Beast Within Destroyer of Souls) talks about this Defendant actual taking a stand against Gang Members calling them basically Cowards. would eventually be forced to Release nearly all Property taken that morning. Even while knowing the facts of the Defendants Lawsuit and the Actual dollar amount given to the Defendant because of Court Orders by Judge who is by all means trying to help obtains a conviction. With Judge

backing her aggressive behavior, she did as she wanted and as she pleased. Even though they knew the truth about the Defendants finances, it didn't stop them from taking property that was never subject to Seizure!

Even more alarming, _____ and Judge _____ were made aware of the Law Suit at the onset of this case. Mr. _____ former Prosecutor and the Defendants Defense Attorney brought Motions forward for Mrs. _____ to release this property. In the beginning Judge _____ would not force _____ to Release the Property paid by legal means even while knowing that defendant had won a Extremely Large Settlement. It would take some 2 plus years for nearly all property to be release which I believe should be puzzling. I would like to know why?

Vindictive Prosecution and Misconduct By Both Judge

_____ and _____ 10.1 change of Judge was requested and all hell would break loose in Judge _____ Court Room on this Morning!

On _____ started out as just a normal Court Date. Mr. _____ had warned his client that things would probably get a little crazy on this morning however, the Defendant couldn't believe his eyes what he was seeing this morning and the UN presented amount of prejudice that would follow. _____ **had sought and got a New Indictment against the defendant Mr. _____ however, something that happen that morning would change this case forever.**

comments Quote (Judge, I have been talking to Lawyer
 for exactly 10 days now and he didn't tell me he was going to do
 that!) The Defendant couldn't believe what just came out of the
 mouth of _____ in front of Judge _____. She was visually
 upset and her facial characteristic and her body language showed just
 that however, she wasn't the only one upset, Judge
 was also upset. He felt that Mr. _____ just done him wrong and
 he couldn't no longer actively help _____ seek and secure
 convictions and he was pist you could also see it in his face because,
 he was losing all his defendants because, to keep the prejudice going,
 he had to keep them all together he couldn't afford to let Mr.
 separate from the case. Now he wants Mr. _____ to go to Jail, he said
 he couldn't go forward and he couldn't allow Mr. _____ are another
 codefendant _____ Sr, to just walk out of his Court Room, it
 didn't matter that both Defendants were out on Bond.

He wanted them both in custody and he wanted that now! It didn't
 matter that Mr. _____ had an Impeccable Release Record from Pretrial
 Services, It didn't matter that Mr. _____ have never missed a Court
 Date. It didn't matter that Mr. _____ has shown by his Record that all
 fears of Release Conditions had been disproven. It also didn't matter
 that Mr. _____ was currently out on bond with no violations of release
 conditions. Mr. _____ stood up and informed Judge _____ that
 Mr. _____ shouldn't have to go to Jail and that he could be arraigned
 another courtroom and that it was wrong to do this. As a result of not
 finding a Judge to immediately arraign Mr. _____ Mr. _____ was
 arrested by _____ Officers who _____ had Follow Mr.
 Attorney and both defendants to find a Judge that would arraign
 them and when his lawyer couldn't get a Judge to arraign them he

had both defendants sent to Jail. Judge didn't care if the Defendant was out on bond and a impeccable release record. To make a long story short Mr. would get out of Jail and then have to face two Judges for the same case and different sets of release conditions in both cases. Judge and Judge who had become a ally in this case and would follow in the footsteps of Prosecutor and Judge and allow an open display of Extreme Prejudice towards the Defendant because, wanted to proceed with both cases which was fine by Judge and Judge

She pursued and achieves a Release condition for the new charges in Judge courtroom, while maintaining the same harsh and Extreme release conditions while in Judge Court Room. Neither Judge cared or was willing to care about the Extreme Amounts of Prejudice the Defendant was receiving. It appears that Mr. has went from the frying pan to the skillet, Judge r who would become an Ally to Judge and Prosecutor ordered Harsher Release Condition which includes Home Arrest despite Defendant never violating any of the Rules of his release nor the rules of The Arizona Criminal Procedure and a Violation of Due Process of the Defendants Constitutional Rights!

Court Record!

The Court advised all parties that the
not be continued.

trial date was firm and would

10

11

PLLC

As the date approached, Ms. communicated
with all parties that
she intended to return to the Grand Jury on this case (case)
and seek a new Indictment
adding additional counts and omitting other counts. On
Ms. secured
a revised Indictment for all remaining defendants under
where Mr.

was charged with Count 1: Conspiracy, a class 2 Felony,
Count 64: Sale or
Transportation for Sale of Marijuana, a class 2 Felony, and, Count
120: Possession of a
Narcotic Drug for Sale, a class 2 Felony.
For both cause numbers, the charges of Conspiracy and
Possession of Narcotic Drug
for Sale are duplicative. For the new cause number, the
State did not seek an
Indictment for Illegal Control of an Enterprise or Assisting a
Criminal Syndicate. The
State did however, secure a new charge for Possession of
Marijuana for Sale on the new
Indictment.

On a Trial Management Conference was held
before the Honorable

where the State Motioned to Dismiss the
case. Simultaneous with

requesting the dismissal of the
have the Court conduct the
Initial Appearance on the new
proceeded undersigned counsel
informed the Court that the Mr.
10.1 Notice of Change

case, the State sought to
case. As the matter
was exercising his right to a

of Judge pursuant to the Arizona Rules of Criminal Procedure. As
a result, the parties
appeared before the Honorable for case
reassignment.

Prior to the Trial Management Conference, counsel for the State
informed counsel

that her intention with the new Indictment was to proceed to trial
on that matter alone and

dismiss the case. With the new case, Ms.

requested and obtained a

warrant for Mr. arrest. Counsel questioned the motives of
the decision to seek a

warrant for Mr. for a duplicative case arising out of the
same purported facts and

circumstances where Mr. was currently on bond and

Pretrial services for over two

years with an impeccable performance.

Ms. stated that she intended to request that the Court
transfer the bond and

release conditions from the case to the 2013 case, however
once Mr. exercised

his right to Notice of Change of Judge and solely as a result
thereof, she changed her

position and refused to dismiss the case and refused to
transfer the bond from the

case to the case contrary to her prior representations.

The result of the State's actions is that Mr. now has two
active criminal cases

pending in the same Court before two different judicial officers with two counts for both cases being exactly the same. Further, now instead of prosecuting the defendant for the new counts, which by virtue of the new Indictment are the Counts the State believes prosecutable, the State is seeking to prosecute the defendant for the charges of Illegal Control of an Enterprise and Assisting a Criminal Street Gang -- both of which were not pursued for indictment on the new case. Finally, the State is demanding that not only the Defendant maintain release conditions on the case but has sought additional release conditions on the case to include home arrest.

Judge dismissed his case
against Mr. without Prejudice rather than have
answer to Mr. Vindictive Prosecution
Motion Oral Agguments. Judge refuse to dismiss
this case with prejudice which oral Arguments would have
set the stage for a Dismissal of this case with Prejudice.
Judge couldn't and wouldn't allow this and
the prosecutor never suffered remedy for her actions
however, the Prosecutor wasn't done with the Prosecutorial
Oppression she was dishing out to this Defendant. even
more she had found a new ally in Justice who
would help Mrs. with her conquest to deny the
Defendants Constitutional Rights as a matter of Record and
help Mrs to seek a conviction with all and any means
necessary!.

The Honorable Judge _____ would be placed in a difficult situation that morning, so he had to make a choice. He was hoping by dismissing this case that he could also dismiss his involvement in Judicial Vindictive behavior and perceived Corruption against Mr. _____. He had to make a choice, he could continue down the path with Mrs _____ and continue the deliberate violations of Mr. _____ Constitutional Rights or He could help _____ just walk a way from this case never, having to disclose or discuss her Vindictive Prosecution and Misconduct in this case and this would be a way of clearing his involvement as well. Judge _____ just didn't _____ that he had gotten himself in way to deep which gives rise to this complaint.

Far to often Judges align themselves with the prosecution because, they two have in interest in the defendant Pleading Guilty as well. In this case there were approximately 70 defendants. **Neither judge _____ nor _____ had any intentions of going to trial on any of these cases despite both Judicial Officers of the court threatening and harassing the Defendants in open court to prosecute 5 to 8 defendants at a time, both had indicated this more than once, despite Barrrick taking all of the Defendants Property from his home to his Televisions and Cars and Daughter's Truck and all his finances and Credit Cards, they run into one problem,**

Mr. _____ would not be intimidated with the Court Room Antics of either party, despite going to Jail multiple times in the nearly 2 years in this case without violating any of the Rules of Criminal Procedure and not having any cause for being placed in jail and the Threats of being placed back into Jail at any time, Mr. _____ would not be bullied by both parties. Neither one wanting to be Neutral nor _____ that the law requires they both need to be separate and that they too have to respect the citizens of this community who elected them in the

first place. Just because a person is accused of a crime it doesn't have to mean that they are guilty of a crime. I pray that this body holds Judge _____ to the same standards that he places on the Citizens of the State of Arizona. He gives no Mercy to Citizens who are minority from what I have witness. His sentencing has been disproportionate to people of color in my opinion. If you ultimately live by the Gun then you risk ultimately also dying by the same Gun!

Cruel and Unusual Punishment By Judge who used Bonds as Punishment!

Judicial Officer Judge _____ violated Rule 7.2(a) 7.3(b) under the Arizona Rules of Criminal Procedure in the handling of this case. He made me feel a sense of hopelessness by the presence of prejudicial bias rulings in his court room. I as a defendant could never win a ruling that was of a factual nature that would change the outcome of this case nor could any of the other defendants in his court room. Judge _____ acted like a bully and aligned himself with Prosecutor _____ in using Bonds as punishment and helping her to violate the rights of this defendant and helping her to conceal precious facts of this case and openly helping her to seek and secure convictions and allowed her to openly harass defendants in his presence while in his Court Room.

- (a.) Before Conviction; Persons Charged With an Offense Bailable as a Matter of Right.** Any person charged with an offense bailable as a matter of right shall be released pending or during trial on the

person's own recognizance, unless the court determines, in its discretion, that such a release will not reasonably assure the person's appearance as required. If such a determination is made, the court may impose the least onerous condition or conditions contained in Rule 7.3 (b) which will reasonably assure the person's appearance.

The judicial officer may not impose a financial condition that results in the pretrial detention of the person.

Perceived as Extreme Prejudice by Judge

Out of the blue and without warning, Judge hauled the defendant into the Court Room, defendant didn't know he had a court date that day and had to stop everything in get down to the Court Room Immediately. **Although, Mrs. denied to defendants Attorney that she had not requested a hearing. Mrs. fought to have the Defendants Release Condition Changed which Contradicted what she had said to defendants attorney of not knowing anything about this hearing.** Judge required after arguments in his chambers and for the record that the defendant was to post additional Bond while out on Bond already with a new bond company which he had been out on for nearly **4 months** solely on the advice of and thus the defendant proving by record that defendant was not a threat to the public and that defendant would show up for court because he has never miss a court date and defendant had obvious ties to this community. **provided information to the Judge that was not true that mid morning and even while knowing the truth, even Judge knew that the Defendant had won a large Settlement for the death of his mother, it didn't matter. She claimed that defendant was living an illegal lavish lifestyle. This unlawful statement of deceit was told to the**

Judge while in the Judges Chamber in then told to the defendant by his attorney was clearly deciding factor for the punishment of defendant that day.

Defendant's funds were obtained from a wrongful death settlement. Thus indicating that defendant's wealth was from illegal means by Mrs. [redacted] Because of the illegal testimony that morning by [redacted] the defendants motion that morning was overruled and the defendant was required to go to Jail or come up with additional monies [redacted] cash only bond before 5pm the same day. The Judge and Mrs. [redacted] knew that coming up with the funds would be difficult because Mrs. [redacted] had ceased and was seizing all the defendants property through the Attorney General's Office. The bond that defendant was out on already, was never given back to him. defendant lost [redacted] dollars that day and had to post another [redacted] that day because of Mrs. [redacted] and Judge [redacted] that seemed pre planed by the two. While in Judge [redacted] Court Room I as a Defendant always felt that the fight of winning this case was always against both Judge [redacted] and [redacted] and not just the Prosecutor. One had to Defend himself against them both , there was no separation between the two.. Here again this was an obvious sign of Prosecutorial Abuse, Misconduct, Judicial Vindictiveness, Prosecutorial Recklessness and Judicial Vindictiveness in my opinion to this date has went Un punished, Un Checked Un disciplined! [redacted] is like a loose Cannon and no one to date has caution this prosecutor about her behavior.

Bond Procedural History

Mr. _____ was currently released on a _____ Secured Bond Posted by (_____). Mr. _____ paid a bond premium of \$ _____ to _____ and _____ has accepted Mr. _____ home as collateral. Furthermore _____ maintained monitoring of their client.

Prior to the current bond Mr. _____ was on release with a _____ Cash only Bond posted by (_____) posted the Bond after Mr. _____ Family, through tremendous hardship, paid a Bond Premium of _____ also accepted Mr. _____ home as Collateral. The cash bond with _____ was posted on _____ On _____ requested that the Courts exonerate the bond and shortly before this date Mr. _____ was surrendered to _____ Jail. This was done solely on _____ Groundless assertion that Mr. _____ home was not sufficient collateral. Mr. _____ home at that particular time was in contested Asset Forfeiture Action brought on by the Attorney General Office that was never subject to Forfeiture by the State. Nonetheless _____ claimed that they did not know the home was in forfeiture Action. (Mr. _____ contests this claim.) _____ subsequent to posting Mr. _____ Bond started demanding from Mr. _____ that he start paying \$ _____ in Cash every 60 days starting immediately with no Cut Off Date. Mr. _____ refused to submit to this unfounded demand and Extortion attempt and _____ at that point surrender him, Exonerate Bond and Retain the _____ premium paid by Mr. _____ Family.

When Mr. _____ was surrendered, he was booked into the 4th avenue Jail and brought before Commissioner _____ The State was represented at that hearing before Commissioner _____ Mr. _____ appeared without Counsel. At that hearing Commissioner _____ modified Mr. _____ bond from (Cash) to (Secured) \$ _____ Appearance Bond, which she had a right to do so according to the bylaws of the Constitution.

Prosecutorial Allegations:

In this Case Mr. [REDACTED] was pulled into a vast investigation involving numerous defendants that are alleged to have been involved in the sale of narcotics. Mr. [REDACTED] was childhood friend of Defendant [REDACTED] who was the target of this investigation. Throughout their long friendship, Mr. [REDACTED] and [REDACTED] spoke on the phone several times a day. The State placed a Wire Tap on the Phone and recorded all phone conversation between both parties for a period of 5 months. Of the thousands of conversation, the State alleges that during one of the Calls Mr. [REDACTED] and Mr. [REDACTED] discussed a transaction of narcotics. The State also alleges during one of the numerous times Mr. [REDACTED] met with Mr. [REDACTED] a Transaction involving narcotics occurred and Mr. [REDACTED] received [REDACTED]. However, no narcotics were ever found are linked to Mr. [REDACTED]. Consequently of this Allegation, Some 30 days later Police searched Mr. [REDACTED] home and all of his personal property resulting in no narcotics or any indicia of narcotics were ever found.

Argument to Judge

Mr. [REDACTED] has been released on a bond since [REDACTED] a Period of almost four months. Mr. [REDACTED] has been in full compliance with all the terms of the Release during that time period. In Addition to the Bond, Mr. [REDACTED] has been subject to supervised release with ***Drug, Alcohol, Electronic Monitoring and [REDACTED] Curfew and Pretrial Services Monitoring!*** There has never been a single allegation

that Mr. [REDACTED] was not in full compliance with any of his terms of Release. Mr. [REDACTED] also was force to wear Electronic Monitoring Devices from both bond companies as well as from his Presentence Officer for a total of 2 Electronic Monitoring devices. Mr. [REDACTED] Bond Company at that time as well as his Pretrial Services Officer can both attest to Mr. [REDACTED] Impeccable Performance while on release. Mr. [REDACTED] Bond Agent at that time was Present with information regarding Mr. [REDACTED] full compliance while on release from

The State has not to this date Alleged any Violations of Mr. [REDACTED] release, which is required for a review hearing pursuant to Rule 7.5 of the Arizona Rules of Criminal Procedure. On this Basis alone Mr. [REDACTED] release conditions should be affirmed and the pending hearing should have been vacated. Any potential argument by the State that Mr. [REDACTED] is a danger to the community or a flight Risk has been disproven by Mr. [REDACTED] Impeccable performance over the last four months of release.

Mr. [REDACTED] has proven to the Court by his performance during those months that he is not a risk to violate the constitutional purposes of release. Mr. [REDACTED] and counsel have appeared at all Court Hearings. Mr. [REDACTED] had no contact of any kind with any potential witnesses and Mr. [REDACTED] does not pose a danger or threat to any potential victims... Mr. [REDACTED] has resided at his home that he owns out right for the last 7 years. Mr. [REDACTED] was [REDACTED] at the time. Mr. [REDACTED] was born here and has lived his entire life here. Mr. [REDACTED] entire immediate and extended family lives in [REDACTED] Arizona... Mr. [REDACTED] Children attends school here and Mr. [REDACTED] is Employed here at the time of incident [REDACTED] painting houses. It is clear by the Evidence that Mr. [REDACTED] was anchored to this community and thus not a flight risk!

Punishment:

On _____ despite legal argument and successful Pretrial and Bond Release reports by both Agency's, Mr. _____ was given Harsher Release Condition as a sole means of punishment. Mr. _____ was informed that morning that he has to come up with an additional _____ Cash Bond Only despite Mr. _____ already being out on a Secured Appearance Bond with his house as collateral through _____ or return to the County Jail by _____ pm that very same day. This was extremely difficult and Judge _____ new this or should have known this because, the Attorney General's Office was trying to take Mr. _____ home and had already taken all his vehicles and Televisions from his house and Froze all Bank Accounts and Credit Cards and then cops took the money from his home which was _____ dollars. This money was never ever reported! Judge _____ was uncaring about Mr. _____ financial wellbeing are how difficult it would be for Mr. _____ to come up with the _____ in such a short time span which was about _____ hours being that the Attorney General's Office through information provided by _____ had Frozen or took everything that he owned. Judge _____ made it clear again before Mr. _____ Left the Court Room that morning that he had to come up with the money or return to Jail by _____

Judge _____ was un moved and uncaring about the fact that Mr. _____ personal belonging were not subject to forfeiture even though the State was actively trying to cease all of Mr. _____ assets that were Proven to be paid for through honest means from a Wrongful Death Settlement of the Late _____ so none of Mr. _____ property was never at any point subject to forfeiture by the State. Judge _____ was made aware of this Settlement by Mr. _____

Attorney. He wasn't trying to hear it because, of his close relationship with Attorney General [redacted] who according to Defendants Attorney, told the Judge in his chambers that morning that Mr. [redacted] was living lavish lifestyle all the while knowing the truth behind Mr. [redacted] finances. Mr. [redacted] Attorney tried to correct the matter in the Chamber it was like two against one is what Mr. [redacted] perception was of this meeting in the Judges Chamber.

If a person is truly innocent until proven guilty then this Action by Judge [redacted] was indeed *extreme and prejudicial!*

Suspicious Activity by Judge [redacted] &

From the onset of this case it appeared to Mr. [redacted] and everyone He talked to that, he wasn't going to get a Fair Trial. There was only one white female Defendant in this case. Judge [redacted] showed favoritism towards the only white Defendant from the beginning by allowing this only white female a [redacted] Bond in the amount I believe [redacted] which meant that she or her family only had to come up with [redacted] cash. Judge [redacted] would not give not one Black or Hispanic a Secure appearance bond in the beginning. He Defendant remembers seeing her family celebrating inside the judicial hallway. Judge [redacted] would probably make the argument that she was a small time player and it was her first offense however, this small time player was caught with [redacted] in what has been determined as drug proceeds, there were two other small time players that also were there first offense who were black. All Blacks and Latino's had to come up with rather Extremely High Cash Only Bonds in which [redacted] knew that the majority of blacks accused couldn't

come up with it nor, were they ever caught with large amounts of money like the only White Defendant nor Illegal Drugs in their possessions. Judge _____ and _____ knew that coming up with these amounts of Extremely high Bonds would prove to be a hardship on family members and near impossible to make being that the Attorney General Office were Seizing property whether you paid for it legally are not as experienced in Mr. _____ case.

This Judge knew that the High Extreme Cash only bonds were used as punishment and served a purpose for him and Mrs. _____ seeking and obtaining conviction and he worked extremely close with _____ who influenced him from the time he entered the Courtroom to when she left. All black and Latino family members who the Defendant talked to felt a sense of hopelessness as their loved ones set in Jails with no hope of ever getting out are having the potential of getting out which served the interest and the desires of the Judge _____ and Prosecutor _____ who knew, it would just be a matter of time that they would lose the will to fight whether guilty or not. She Expressed this Desire while in Open Court Quote, **(I know you all are just waiting to Go to Prison she said)** She had said this in Judge _____ presence. All Inmates in custody and out of custody looked at her as if she was just out of her mind and Judge _____ never corrected her at no time of **harassing the Defendants** because, he wanted the same thing. They had no plans on going to trial on any of these cases and the two didn't! Judge _____ knew as well, if he kept the Bonds High and unreachably for the family members whether guilty or not then, their loved ones wouldn't be able to come up with the money and then the defendants would be forced to Sign Plea Bargains because, of the

2. The fact that neither D.E.A. nor
 had never done a Wire Tap application before and many mistakes were made starting with the Search Warrant at the first person and this Defendants home to be taken down on this morning. Both Cops sworn on an affidavit in Appendix-1 an Attachment to the Search Warrant that Drugs, Signs of Money Laundering, as well as Guns would be in the home including Ledgers and strong indication that defendant was part of a Gang and Original Charges and News Ads reflected that. Then to enter and destroy the home and Steal from the home and Nothing was found in the home are on the Defendant that would help their case. The Lead Officer after not finding anything to help their case, begun Ceasing property that was never subject to seizure and that wouldn't be returned until some 2 years later even though they were proven to have been paid for years prior by honest means!
3. Judge showed Extreme and Unusual Amounts of Prejudice toward the Defendant from the Unset of this case. He allowed this prosecutor to say things about the Defendant that wasn't supported by facts and allowed the Prosecutor the right to openly harass the Defendant and cause a Financial Loss to the Defendant.
4. Judge gave Bias and Prejudicial rulings in this case and he had never gave one the perception that he was Neutral in this case nor that one could win a ruling in his Court Room that would change the outcome of this case no matter the truth! He didn't care about the truth and still doesn't. He acted like a bully and Enforcing the Punishment handed down by Prosecutor even when the Law didn't require punishment to be given to the Defendant. The Rule of Law didn't apply in his Court Room to the facts of the case. They wanted Defendant and they didn't care what laws were

broken to get him, so they worked in secret and in concealment and in private to cover up important facts of this case to conceal the truth of numerous mistakes and inconsistencies and the false testimonies of the Agents who investigated this case that would overturn this complete case!

Defendant would Challenge both illegal Search Warrants to his home, G.P.S Devices, Wire Tap Application, Sting Ray Device, Motions to Separate Counts, Motion to Separate Defendants, Motions To Bring Informants forwards, all and any attempts to over throw this case and 3 of these challenges with Court implications. Judge would deny every inquiries of the Legitimacy of this case. How could pre determine that all and every challenge to this case would be denied as indicated during a Court Room Hearing while yelling this at while all the remaining Defendants could hear including me? Could she read the mind of Judge How could she know that all Motions that Challenge this Case would be denied? She boasted of her Pre conceived notion that it was nothing that anyone could do? She had a unprecedented Confidence while Enforcing this case she predicted knowing the outcome of all rulings? She knew beforehand how Judge rulings would be? I Pray that this Body would also want to know, how she knew?

5. for the record had tried to offer the Defendant probation for the dropping of Lawsuit against lead Detective of this case. Lawyer for the Defendant Mr. was Questioned by Judge asking has there been any Settlement attempts when Mr. explained that said that their wouldn't be any until the Defendant drops his Civil Suit. She was using her influence to dictate the outcome of another tribunal. didn't deny it when question for the record in Judge Court Room by Lawyer of the Defendant. When defendant refused the gesture by would

not Offer Probation again, not that the defendant would accept Regular Probation but, the motives of the Prosecutor was highly irregular and illegal and suspicious.

6. Judge would act like a Bully in denying all access to the Court Room by Family Members for a Period of 4 to 8 months. Family Members were crying out in the hallways because, Judge had Officers guarding the front doors of his Court Room like Bullies, this allowed who has been accused of Miss Conduct to use the tools of her trade to inflict punishment, mental anguish, emotional stress upon the defendants without the presence of Loved Ones looking on. This is something that Judge encouraged and promoted inside his Court Room. Judge could argue that, it was for security reasons. However, after so many months the security fears had been squashed and eliminated and Judge still kept the Office bullies in front of the door and I will never forget a Mexican woman trying and crying to enter the Court Room and the Office telling the woman that, if she came back into the Court Room he was going to have to Arrest Her. She spoke only Spanish and she was crying and couldn't understand when there were plenty of seats available in the Court Room in fact she had come in the Court Room and took a seat before she was asked to leave on at least 2 attempts to do so, she wondered why she couldn't set inside the Court Room with her loved ones and so did many of others?

7. Judge refusal to grant any and all Inquires of the Wire Tap even after facts of Inconsistencies and deceit were razed during Interviews in both statements of D. E. A. Agent and Lead Detective

pertaining to this case by Well-known Attorney
in his Motion presented to Judge

8. Judge never addressed in his refusal to Grant a Hearing about the Wire Tap pre requirement. The Requirement by Constitutional law "Necessity" was overlooked by Judge Judge tried to explain why he denied the inquiry into this Wire Tapp and he had believed according to his opinion that the cops did nothing wrong and they had Probable Cause however, there was another requirement that Judge didn't tackle in his refusal. That is the Necessity clause of this document as required by the Court. This is why strict guidelines were put in place by the High Court because, you can't just want a Wire Tap. You have to show why it's Necessary and Warranted due to its Intrusiveness!

9. Judge allowed Prosecutor to openly Harass in intimidate the Defendant. Judge also participated into some of the intimidation by agreeing with one day in court that they would try as much as 8 together knowing that many were not caught with drugs as a means to prejudice the Defendants and also to let the Defendants know that he too had an interest into seeking convictions at any means necessary! Judge was never impartial to this case and didn't have a problem by letting it be known. He is confident as a Court Judge that his decision are final, so he had no problem openly supporting acts of Misconduct and Negative in the Window displays toward Defendant and other minorities!

10. Judge shielded from questions about being Vindictive and Miss Conduct of her office. Judge knew that it was irregular for a Prosecutor to try the same case in two different Court Rooms with 2 different Extreme Release orders but, he allowed it to go on for months. He also knew that was openly prejudicing the Defendant but it didn't matter after all this is something he allowed and welcomed from the onset of this case!

11. He openly dismissed the case without prejudice and not Allowed to answer to the Motion as requested by Defense Attorney who wanted **Oral Arguments** with Judge just simply wasn't going to allow it so he just, dismiss it knowing that, could continue with Extreme and Unprecedented amounts of Prejudice into the new case with a New Ally ,Judge and both Judges turning a blind Eye to the Miss Conduct and Vindictive Prosecution of Prosecutor

12. He did her even one more favor on this morning, He refused to dismiss the case in its entirety which should have been a requirement with prejudice because, the prosecution never suffered any punishment for her actions of being Vindictive and Prejudice and Misconduct as a punishment to Defendant and the other Defendants which was a perceived violation of Due Process! He allowed the case to continue which shows Extreme Favoritism and the Fact that he Shielded from answering any Questions about Miss Conduct that would jeopardize her case and force him to dismiss it in its entirety with Prejudice and why this Judge is unfit to judge this case and his rulings would have to be overturned and scrutinized in this Defendants opinion!

- 13. D.E.A Agent was allowed to Use a Sting Ray Device without a Warrant!**
- 14. D.E.A Agent was allowed to Use a G.P.S. Device and Satellite Positioning Devices without Warrants.**
Court had ruled in a prior case that these devices require a Warrant!

continued Harsh and Extreme conditions of the County Jails which was ever so welcome by and Judge These are tools used mostly for the minorities in my opinion. It's a Vicious Cycle!

I welcome this body as well as beg this body to do an independent Review of this case. I guarantee that this body would find that the actions of both and is not only rare and extreme but you will find it Unconstitutional as well as maybe criminal? Everyone who was forced to take Plea Bargains should have a new trial or a new chance to make a new decision. One Enforcing the laws would probably argue that most of these defendants had drugs on them however, one would also have to remember that many didn't have drugs on them and the D.E.A Agent and told a number of Inconsistence in the Sworn Affidavit to get the Wire Tap as did in the Search Warrant to Defendant Home. Far too often bonds are being used to inflict pain and suffering emotional unrest for the accused which was something the **Constitution of the United States** must never allow and must protect even if people are accused of a crime.

I never felt and still don't feel that this Judge and this Prosecutor were fair to me from the very beginning. I the defendant started out with a cash only bond despite never ever being caught with illegal drugs and with the help of and Judge would confiscate and Take nearly all the Defendants property and freeze all accounts for the purpose of Seizing them even while knowing that the Property was never subject to seizure but it also

served to another purpose by taking of the Defendants Property. If the Defendant doesn't have nothing to trade or barter than the Defendant couldn't possibly make Bond and get out of jail which would make a conviction likely and serve both interest of Judge and Vindictive Prosecutor Defendants bond would eventually be lower to and Judge didn't have any intentions on lowering it ever again, just like the rest of the minorities in this case.

Judge ordered a cash only bond after the Defendant was released from Jail on a lower Secured Appearance Bond and Cash of dollars by another judge prior to Defendants re arrest and refusal to accept the Extortion Attempt and additional demands by bail bonds however, this position he took this one morning in my opinion only sealed his fate as being Racist, Bias, Prejudice and Impartial to this case. These are the Bond Amounts that all minorities had to endure including the Defendant by Judge

No Black are Latino received a lower bond to my knowledge whether first offense or not, whether guilty or innocent.

to Cash Only Bonds.

I'm asking this Body to Halt the Continued and open display of Prejudice in this case and remove this case from Judge and is the least that can be done as an Emergency Situation and Declaration!

The Defendant is asking that an Independent Review is done as to the Facts of this Case. I'm hoping that there is Probable Cause to believe that the Allegation are true do to an Unbelievable and Extreme Amounts of Prejudice in this Case by both Judges and the same Prosecutor as well as the Court Record reflects, all motions and challenges to this cases legitimacy has been denied and the denials would continue and Judge _____ Court Room both Judges in this case has shown an Extreme Amount of Hatred for the Defendant!

Perceived Grounds for Inquiry by this Body in the Opinion of the Defendant.

Points and Facts!

1. _____ Pay Out by the City of _____ on behalf of _____ Lead Detective in this case for the theft of Money and unnecessary damage of the Defendants Home. How can you pay the defendant this amount of money and then go on with the prosecution of this case against the Defendant like this has never happened and the Cops in this case have never been question about the missing money? The Defendant was alleging from the very beginning that money was stolen from him by the Police Dept. And made complaints about the Stolen Money with _____ Police Dept first and then with _____ Police Dept. and both turning a blind eye to the Theft and Damage and Negligence at the Home. Not one cop will be charged and the stolen money, it has never been found.