

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-108

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Judge:	No. 1107914936A
Complainant:	No. 1107914936B

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**ORDER**

The complainant alleged a superior court judge engaged in unethical conduct as a prosecutor prior to becoming a judge.

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

Dated: May 21, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed  
to the complainant and the judge  
on May 21, 2014.

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

2014-108

LEGAL CORR / PRIV. CONF.

ARIZONA COMMISSION

ON JUDICIAL PERFORMANCE REVIEW

Pleadings

AS I AM WITHOUT FAIR REPRESENTATION IN MY COUNTY  
CASE AND HAVE BEEN IN CUSTODY FOR OVER

+ ON ACTS OF PROFESSIONAL MISCONDUCT PERFORMED  
BY FRI. PROSECUTOR (HON.). I STATE:

WITH SUPPORT TO CONFIRM PURSUANT TO THE PENALTIES OF  
PERJURY 28 U.S.C § 1746 AS TRUE AND CORRECT THAT:

HON. WAS ACTED W/ "MALICE AFORETHOUGHT" TO  
KILL AND SUBJECT ME TO UNLAWFUL PUNISHMENT AND YEARS  
OF DEFAMATION AS A SEX OFFENDER. AND I HAVE NEVER  
BEEN CONVICTED OF A SEX OFFENSE IN MY LIFE, IN ARIZ.  
OR ABROAD. RECORD PROVE I WAS ACCUSED IN 1993 IN  
CASE V et al. no.  
AND "PLEAD NOT GUILTY" IN CAL. HOUSE  
CO. ON

HON. KNOWS I'VE NEVER BEEN CONVICTED OF ANY  
OFFENSE AND AS A JUDGE HE SAYS NOTHING BECAUSE IN  
HE PURPOSES ABUSED HIS POWER  
TO CONVICT ME FOR "FAILURE TO REGISTER" W/ NO PROOF  
TO JUSTIFY OR "PROBABLE CAUSE" TO ESTABLISH A SEX  
OFFENSE CONVICTION IN THE UNITED STATES.

THE FOLLOWING FINDINGS AND ARGUMENT ARE MADE  
BY ATTY. [REDACTED] AND MYSELF

2014-108

Telephone:  
Facsimile:  
E-Mail;

*Attorney for Petitioner*

IN THE COURT OF APPEALS  
FOR STATE OF ARIZONA,  
FROM THE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF

	)	
Plaintiff,	)	Case No.:
	)	
vs.	)	Superior Court Case No.:
	)	
Hon.	)	
Judge of the	)	VERIFIED PETITION
County Superior Court	)	FOR SPECIAL ACTION
Defendant	)	
	)	
and	)	
	)	
THE STATE OF ARIZONA	)	
Real Party in Interest	)	
_____	)	

RE: County Case

Dear

I enclose a copy documents that the prosecutor sent to me regarding your DOC criminal history and the records from the records appear to state that no records exist that establish that you were convicted in I will investigate This issue because it is my position that the prosecutor must establish the crime by presenting certified records of your conviction.

Respectfully,

3-

Declared True And Correct Pursuant to 28 U.S.C. §1742



Falsified AS A SEX OFFENDER -

IS ATTEMPTED MURDER -

¶ 4. THE ONLY DOCUMENTATION PROVIDED BY THE STATE OF ANY PREDICATE CONVICTIONS OF DEFENDANT (MR. ALLEGEDLY REQUIRING DEFENDANT TO REGISTER AS A SEX OFFENDER IS AN ARRANGEMENT IN COURT HOUSE ON 5 COUNTS IN VIOLATION OF 288(A) PC (X2) AND 288(B) PC (X3), TO WHICH COURTS DEFENDANT PLED "NOT GUILTY".

¶ 5. THE STATE HAS NOT PROVIDED ANY DOCUMENTATION, MUCH LESS CERTIFIED, OF ANY PREDICATE CONVICTIONS OF DEFENDANT FROM REQUIRING DEFENDANT TO REGISTER AS A SEX OFFENDER.

THE FOREGOING PARAGRAPHS ABOVE ARE ARGUMENTS RAISED IN THE ARIZONA COURT OF CASE

V. STATE OF ARIZONA. ATTORNEY

ARGUES THESE ABOVE FACTS SWORN UNDER OATH THAT HIS FINDINGS ARE TRUE AND CORRECT.

HIS FINDINGS CONCLUDE THAT HAS BEEN UNLAWFULLY REQUIRED TO REGISTER AS A SEX OFFENDER AND MALICIOUS PROSECUTION IS EVIDENT AS IS HIS CURRENT PROSECUTION, AND FALSE IMPRISONMENT.



1. THE GOVERNMENT FALSIFIED A SEX OFFENSE CONVICTION.
2. PUT MY LIFE IN DANGER WITH FALSIFICATIONS.
3. GOVERNMENT COMITS FRAUD ON THE COURT.
4. HAS NO CERTIFIED "JUDGMENT OF CONVICTION".
5. HAS NO CERTIFIED SIGNED PLEA AGREEMENT OF
6. USING A DISMISSED CASE NO. ILLEGALLY AS A CONVICTION.
7. FALSIFYING CRIMINAL HISTORY REPORTS TO CONVICT PEOPLE.
8. VIOLATES FED. R. EVID. 803(22) - 410(1)
9. VIOLATES 8TH AMENDMENT CRUEL & UNUSUAL PUNISHMENT (U.S. CONST.)
10. VIOLATES ARTICLE 4 § 1 FULL FAITH AND CREDIT CL. (U.S. CONST.)

#### - AS THE RESULT -

11. LOST PARENTAL RIGHTS TO CASE  
 BASED ON FALSIFICATIONS AS SEX OFFENDER
12. IN PRISON FOR "FAILURE TO REGISTER"
13. IN PRISON FOR "FAILURE TO REGISTER"
14. CURRENTLY IN CUSTODY SINCE FOR  
 FAILURE TO REGISTER. (AND CANT LEGALLY GO TO TRIAL OR PLEA)
15. LOSS OF MARRIAGE (DUE TO SEX OFFENDER STIGMA)
16. LOSS OF OPPORTUNITIES W/EMPLOYMENT (DUE TO FALSE CONVICTION)
17. FAMILY RESIDENCE TARGETED BY FLIERS POSTED
18. FORCED TO PAY FEES AT SEX OFFENDER CLASSES
19. EXCOMMUNICATED, DEGRADED, RIDICULED, DEFAMATED, VIOLATED  
 AND DEPRIVED OF CIVIL LIBERTIES... AS WE SPEAK.



ATTY. Full Argument  
IN CASE Filed

ARGUMENT (VERBATIM)

PG 8 PAR. 16. HERE, THE INSTANT PROSECUTION AGAINST DEFENDANT PURSUANT TO A.R.S. § 13-3821 MUST BE DISMISSED AS A MATTER OF LAW BY VIRTUE OF THE INSUFFICIENCY OF ANY RELIABLE EVIDENCE TO ESTABLISH THE PREDICATE CONVICTION FOR AN OFFENSE THAT WOULD OTHERWISE OBLIGE HIM TO REGISTER IN ARIZONA AS A SEX OFFENDER.

PAR. 17. THE STATE HAS FAILED TO PROVIDE A CERTIFIED COPY OF A JUDGMENT OF CONVICTION OF THE SUBJECT PREDICATE CONVICTION OF DEFENDANT IN THAT WOULD OTHERWISE OBLIGE HIM TO REGISTER IN ARIZONA AS A SEX OFFENDER UNDER A.R.S. § 13-3821.

PAR. 18. DEFENDANT HAS NEVER ADMITTED TO SAID PREDICATE CONVICTION UNDER OATH IN COURT.

PAR. 19. THE STATE HAS PROFFERED NO OTHER CERTIFIED DOCUMENTS OF ANY SORT TO ESTABLISH THE SUBJECT PREDICATE CONVICTION OF DEFENDANT IN. THE ONLY DOCUMENTS CURRENTLY AVAILABLE ARE A NON-CERTIFIED ARRAIGNMENT / PRELIMINARY HEARING DOCUMENT FROM THE COURT HOUSE, AND UNSIGNED NON-CERTIFIED NOLO-CONTENDERE PLEA AGREEMENT AND AN UNSIGNED NON-CERTIFIED SENTENCING DOCUMENT FROM THE COURT OF CALIFORNIA. SAID DOCUMENTS WERE IN FACT OBTAINED NOT BY THE STATE BUT "BY DEFENDANT", WHICH OBVIATES



ANY CONCEIVABLE FINDING THAT THE STATE HAS EXERCISED THE REQUISITE EARNEST AND DILIGENT EFFORTS TO OBTAIN REQUISITE DOCUMENTARY EVIDENCE.

PAG. 20. FURTHERMORE, THERE IS NO EVIDENCE WHATSOEVER, NEITHER DOCUMENTARY NOR TESTIMONIAL, DEMONSTRATING THE PERPETRATOR OF THE SUBJECT OFFENSE IS IN FACT THE DEFENDANT.

PAG. 21. BY VIRTUE OF NOT HAVING PROVIDED ANY RELIABLE DOCUMENTATION OF THE SUBJECT PREDICATE CONVICTION, THE STATE IS UNABLE TO DEMONSTRATE, MOREOVER, THE REQUISITE ELEMENTS OF SAID ALLEGED CONVICTION AS CONSONANT WITH ANY OFFENSE OTHERWISE REQUIRING SEX OFFENDER REGISTRATION UNDER A.R.S. § 13-3821.

PAG. 22. THE STATE'S ALTERNATIVE RELIANCE ON THE PRIOR FELONY CONVICTIONS OF DEFENDANT FOR FAILURE TO REGISTER AS A SEX OFFENDER "AS THEMSELVES" CONSTITUTIVE OF THE REQUISITE PREDICATE CONVICTION UPON WHICH TO BASE DEFENDANT'S OBLIGATION TO REGISTER AS A SEX OFFENDER IS MISPLACED. IN THE CONVICTION, NO MENTION IS MADE WHATSOEVER OF THE PREDICATE OFFENSE REQUIRING DEFENDANT TO HAVE REGISTERED AS A SEX OFFENDER IN EITHER THE "CHANGE OF PLEA HEARING", THE "PRE-SENTENCE REPORT", OR THE "SENTENCING HEARING". IN THE CONVICTION, THERE IS AGAIN NO REQUISITE DEMONSTRATION OF THE SUBJECT PREDICATE OFFENSE IN TO JUSTIFY THE CONVICTION IN EITHER THE "GRAND JURY TRANSCRIPTS" (SIMPLY REFERS TO DEFENDANT BEING REQUIRED TO REGISTER AS A SEX OFFENDER BY



THE COURT, BUT FAILS TO PROVIDE ANY SPECIFIC ANY "STATUTE" UNDER WHICH DEFENDANT WAS CONVICTED), NO MENTION WHATSOEVER OF THE PREDICATE OFFENSE REQUIRING DEFENDANT TO HAVE REGISTERED AS A SEX OFFENDER IN EITHER THE "PLEA AGREEMENT" OR THE "SENTENCING HEARING", AND A VERY VAGUE REFERENCE IN THE "PRE-SENTENCE REPORT" TO DEFENDANT HAVING BEEN CONVICTED IN (NO MENTION OF SPECIFIC COUNTY) OF "LEWD AND LASCIVIOUS ACTS WITH A MINOR", BUT WITHOUT SPECIFYING ANY "SPECIFIC STATUTE" UNDER WHICH DEFENDANT WAS SO CONVICTED.

PAR 23. BOTH THE AND CONVICTIONS SUFFER FROM THE SAME "FATAL LEGAL FLAW" AS THE CURRENT PROSECUTION, SAID CONVICTIONS WERE CLEARLY "ILL-FOUNDED" AS NOT PROPERLY BASED UPON ANY PROOF WHATSOEVER OF THE PREDICATE CONVICTION OTHERWISE MANDATING SEX OFFENDER REGISTRATION IN

PAR 24. FOR THE CURRENT PROSECUTION OF DEFENDANT FOR FAILURE TO REGISTER TO BE BASED UPON THE PRIOR FELONY CONVICTIONS OF FAILURE TO REGISTER, BUT WHICH PRIOR FELONY CONVICTIONS EGREGIOUSLY LACK ANY PROPER EVIDENTIARY FOUNDATION OF THE PREDICATE CONVICTION UPON WHICH DEFENDANT'S ALLEGED CONTINUING OBLIGATION TO REGISTER AS A SEX OFFENDER IS BASED, IS SHOCKING TO THE UNIVERSAL SENSE OF JUSTICE AS A VIOLATION OF DUE PROCESS AND FUNDAMENTAL FAIRNESS. - END OF ARGUMENT

Filed



ATTORNEY \_\_\_\_\_ HAS FILED THESE SAME SUPPORT-  
ED ARGUMENTS IN A DIRECT APPEAL IN THE ARIZONA -  
COURT OF \_\_\_\_\_ V. STATE OF ARIZONA

• MR. \_\_\_\_\_ FOCUSED ARGUMENT IS THAT  
A "CERTIFIED JUDGMENT OF CONVICTION" (FED. CRIM. P. 32(d)(1))  
REGARDS TO \_\_\_\_\_ CASE \_\_\_\_\_ HAS NOT BEEN  
PRODUCED BY THE STATE PROSECUTIONS IN (3) SEPARATE  
CASES \_\_\_\_\_ ; \_\_\_\_\_ ; \_\_\_\_\_

MR. \_\_\_\_\_ HIMSELF CONCLUDES THE \_\_\_\_\_ CASE  
AS "ILL-FOUNDED CONVICTIONS" AND THAT \_\_\_\_\_ CUR-  
RENT CASE \_\_\_\_\_ SUFFERS THE SAME "FATAL  
LEGAL FLAW" THEREFORE, RAISES QUESTIONS TO THE  
LEGALITY OF HIS CURRENT CUSTODY IN \_\_\_\_\_ COUNTY JAIL.  
AS THE STATE HAS HELD \_\_\_\_\_ TO ARIZONA'S SEX  
OFFENDER REGISTRATION (A.R.S. §13-3821) AND \_\_\_\_\_ CONVI-  
CTIONS \_\_\_\_\_ FOR "FAILURE TO REGISTER" (A.R.S. 13-3821A)(9))  
THE STATE OF ARIZONA HAS ENFORCED ITS STATUTE W/O  
ANY CERTIFIED DOCUMENTATION TO PROVE \_\_\_\_\_ A  
CONVICTED SEX OFFENDER BASED ON \_\_\_\_\_ CASE NO. \_\_\_\_\_

A TRACED REDLICK OF COMMUNICATION W/ \_\_\_\_\_ COURTS  
HON. \_\_\_\_\_ CLEARLY ESTABLISHES THAT "A  
SIGNED PLEA AGREEMENT IS NOT IN THE CASE FILE OF  
\_\_\_\_\_, AND THAT "NO MOTION" BY A COURT OR MR.  
\_\_\_\_\_, HIMSELF COULD BE MADE TO REQUEST A PLEA  
AGREEMENT THAT IS NOT IN THE FILE.



Request for original Plea in Case No.  
 (Signed And w/Thumbprint). Denied with Prejudice  
People v. et al, No

" This court cannot grant Your current request because  
 no such document is in the court file. Please read the  
 foregoing sentence again- no such document is in the  
 court file."

- HONORABLE

I DECLARE THIS Item TRUE  
 to the contents provided BY Hon  
 Pursuant to 28 U.S.C. § 1746 AND PENALTIES OF PERJURY.

"Request for Original Plea in Case  
DENIED WITH PREJUDICE

(Signed and w/Thumbprint) -

People v.

et al. Case No.

Dear

This Court has already responded to your requests and motions for  
and, . On each  
occasion, this Court has informed you of the entirety of the contents of your court file and  
has repeatedly provided free of charge to you these documents. This Court has informed  
you over and over that nothing else is in the court file and has directed you not to send  
any further requests for documents to the Court. Nevertheless, you have now again done  
exactly that.

This Court cannot grant your current request because no such document is in the court  
file. Please read the foregoing sentence again - "no such document is in the court file"

You then add that "In the event that a plea is not found, it should be found as unfair to  
assume I was convicted by a "no contest" if I cannot receive a copy so as to challenge  
such plea and all its conditions".



This Court has no jurisdiction to determine the sufficiency of its own records as proof of your conviction if said prior conviction is somehow being alleged in an Arizona court. Such a motion, if it can be made at all, must be addressed to the court in which your prior conviction appears to have some relevance - namely, an Arizona court. The determination of whether this prior conviction can be "fairly" applied against you in Arizona can only be adjudged in Arizona not here

Your request for your "original plea" in this matter is denied with prejudice

Very truly yours,

AS A.R.S. 13-701(C)(1)(II) PERTAIN TO SENTENCE OF IMPRISONMENT FOR FELONY; PRESENTENCE REPORT; AGGRAVATING AND MITIGATING FACTORS; CONSECUTIVE TERMS OF IMPRISONMENT; DEFINITION. (LII, CH. 33, SEC. 5. EFF. 7/1/12). 13-701(C). REQUIRES THAT ALL AGGRAVATING CIRCUMSTANCES UNDER SUBSECTION(D) AND FACTUAL FINDINGS AND REASONS IN SUPPORT OF SUCH FINDINGS ARE SET FORTH ON THE RECORD AT THE TIME OF SENTENCING.

THE AGGRAVATING FACTORS IN THE AND THE CURRENT CASES FOR "FAILURE TO REGISTER" VIOLATIONS ARE THE PURPORTED CASE. TO PERCLUDE THIS FROM THE RECORD CASE) AS THE AGGRAVATING FACTOR AT SENTENCING IN ALL (3) CASES. IS TO SENTENCE FOR A VIOLATION OF "FAILURE TO REGISTER" AS "ITSELF" (A.R.S. 13-3822 OR 13-3824).

A VIOLATION "AS ITSELF" FALLS UNDER MODEL PENAL CODE § 1.04(5) (NOT A CRIME / NOT PUNISHABLE BY INCARCERATION.) (SEE: "VIOLATION" = BLACK'S LAW DICTIONARY 7TH ED PG. 1268).

AS ANY SUBMITS THESE FACTS TO BOTH THE TRIAL COURT AND COURT OF HE DOES SO SWORN UNDER OATH, THEREFORE, IT SHOULD BE RAISED AS TO WHY THE STATE WOULD ENGAGES IN CONDUCT THAT IS LIFE THREATENING AND CLEAR "VIOLATION OF DUE PROCESS" AND "FUNDAMENTAL FAIRNESS" AS HAS NEVER BEEN CONVICTED OF A SEXUAL OFFENSE. AS DOCUMENTS WOULD BE PROVIDED TO PROVE OTHERWISE.



I AM NOT A SEX OFFENDER. YET, THE OBSTACLE THAT I AM UNDER AND SUBJECTED TO IS A "FALSE LIGHT" THAT HAS PLACED ME BEFORE THE PUBLIC IN A HIGHLY OFFENSIVE AND UNTRUE MANNER. 18 USC § 1658(b). THE LABEL AS A SEX OFFENDER HAS PROVIDED ABSOLUTE DENIAL OF THE RIGHTS ABUNDANTLY PROVIDED TO A PERSON WHO HAS BEEN FOUND GUILTY OF MURDER. SOCIETY AND PUBLIC OFFICIALS W/ ALL PERSONS REJECT CONVICTED SEX OFFENDERS. AS EQUALLY DO I REJECT A PERSON WHO COMMITS INAPPROPRIATE ACTS AGAINST A CHILD OR WOMEN.

AS I HAVE NOT BEEN CONVICTED OF A SEXUAL OFFENSE IN MY LIFE AND HAVE BEEN "WRONGFULLY DESIGNATED" AS A PERSON WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER. I AM DENIED THE RIGHT TO CHALLENGE ARIZONA'S 13-YEAR CLAIM THAT I WAS CONVICTED IN

CASE

I AM REJECTED A CERTIFIED PLEA FROM THAT DOES NOT HAVE, AND ARIZONA INCARCERATES AND DEFAMATES ME UNDER SEX OFFENDER REGISTRATION UNDER THE "ASSUMPTION" THAT I WAS CONVICTED OF A 288(A) PC 1st "NOT A CONTENDERE PLEA" IN ARIZ. REV. STAT. 13-701(C)(1)(1)(1) MANDATE THAT A CERTIFIED PLEA OF SUCH CONVICTION BE PROVIDED AND NO PLEA HAS EVER BEEN PRODUCED NOR HAS MY REMOVAL FROM SEX OFFENDER REGISTRY AS THIS FALSE LIGHT CAN HAVE ME KILLED AS NOBODY SEES THE DANGER THIS HAS BROUGHT ON MY LIFE, AND MY FAMILY.



I am unprotected and feel that my role in this matter is one of a self-serving agenda as his rank in the court can be leveraged to receive or provide favors from prosecutors and lawyers who currently litigate my case. As I should not be in custody I do fear that I will be killed as result of my standing up against what is unlawful and a threat to the dignity of the Arizona courts.

I am requesting a investigation starting w/ myself as I have documentation to support this pleading and that a person-to-person legal visit be set A.S.A.P. This is "ATTEMPTED MURDER ON MY LIFE" and I am not a sex offender.

Please respect my request as this is not frivolous. It's been filed and reviewed the petition filed or visit I have a copy. Please help...

Sincerely,