

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-251

Judge:

Complainant:

ORDER

The complainant alleged a municipal court judge ignored his constitutional rights, improperly forced him to represent himself, and unreasonably delayed ruling on various of his motions.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judicial officer's rulings. In addition, 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: September 4, 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 September 4, 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

2014-251

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 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.

Judge _____ ignored my Constitutional Rights against unreasonable searches and seizures, which were performed by the officer that arrested, detained and took me into custody.

My vehicle was searched & towed, my cell phones, iPad and camera were searched without any warrants or citation for violations, nor my permission.

While in custody, my photo and fingerprints were taken without a warrant or citation. A compelled blood draw was performed without an Admin per se, Implied Consent Affidavit or warrant documenting such actions.

Judge _____ allowed a documentation-free, detainment, arrest, custody and evidence gathering to take place for prosecution. None of the verbal, visual, or physical evidence should have been permissible in court without warrants, citations or my written consent.

Never were the alleged charges shown to me on paper and I was released from police custody without a citation or any charges. Judge _____ refusal to acknowledge my United States' Constitutional rights enabled this warrant-less, citation-less case to proceed. Future motions in regards to these facts were also ignored without court responses.

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On _____ my public defender, _____ filed a motion to withdraw from my case. Without a hearing or notification, Judge _____ approved of this motion.

On _____ my now former-public defender, _____ filed a motion on my behalf, without my request or permission. Judge _____ accepted and approved of this motion, despite knowing that this attorney was no longer on record as my attorney.

Judge _____ and _____ claimed that due to my conduct, I would no longer be afforded a public defender. For the final two months, despite multiple motions requesting counsel, per 6th Amendment Rights, I was repeatedly denied the right to representation.

From _____ I was forced to represent myself for the remainder of the case, including multiple hearings. The two-day trial began on _____ and concluded _____ with myself as my sole representation.

Throughout the case, I was told to wait until the next hearing for responses to my motions. Many times these motions would go _____ without being addressed. Numerous motions were not addressed in writing, nor the next hearing, weakening my ability even more-so to defend my case.