

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-007

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace was prejudiced against her and engaged in inappropriate courtroom demeanor in a criminal matter.

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 approved sending the judge an advisory letter to remind him to avoid using language that some may find offensive so as not to violate Rules 1.2 or 2.8(B) of the Code. Additionally, the judge was reminded that Formal Ethics Advisory Opinion 98-02 does not require a judge to recuse himself merely because a judicial misconduct complaint has been filed against him. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission members Gus Aragón and Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: March 30, 2016

FOR THE COMMISSION

/s/ Peter J. Eckerstrom

Hon. Peter J. Eckerstrom
Commission Vice-Chair

Copies of this order were mailed
to the complainant and the judge
on March 30, 2016.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature: _____

Date: _____

INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

I would like to file a complaint about a _____ : Judge, Honorable _____
 _____, who is currently the assigned judge for my pending case.

I also would like to clarify as to what I am hoping to accomplish as an outcome of this complaint. I am looking for the sole purpose of doing my part as a US Citizen, to help ensure that our justice system uphold the duties to which was created, by promoting fair and impartial hearings, etc. It was not long ago, when I still belived our courts and law enforcement, to which I have now have first hand knowledge as to how corrupt our system is/has really become, and quite frankly, is depressing, to see our country being destroyed, because of political greed and corruption. I no longer believe our country is a country, that at a time was one to which any of us as citizens could any longer be "Be Proud to be an American".

The second fact that I would like to clarify, is to make clear that my goal is not in hopes of any ruling in or against my favor to be a result of this complaint, or anything other then what fair and impartial decision that any citizen is entitled to. I am more then willing to accept full responsibility for my actions, if given consideration to my rights that being born in our country were given as rights, and were to be respected, as I was taught as young as I can remember, unaware, as to best of my knowledge, never been revoked.

My complaint against the Honorable _____, is basically that he has displayed very appearant bias actions, has stood behind every action, even those regarding sentencing provisions in a plea agreement, to which, he, himself, minutes prior had stated that he had no knowledge as to what sentence the state was seeking, and minutes later trying to convince me that a sentence of _____ jail, with _____ suspended, upon the fact that I am able to pay all fines, pay for classes to which will need to be taken _____, and which are located just _____, when I am told will not have a license to drive for _____. I am very aware as to what I can afford, and the fact of how impossible it will be for me to work when the nearest bus route or employment is from my home, and I do not know many people to whom I can ask for or rely on to provide rides, especially to classes, which would consume a minimum of _____ of someones life, and without gas money to give them. To me, being full aware of my realistic capabilities in terms of complying, am quite capable of understanding what the provision means when it states that nothing can keep the court from enforcing the entire _____ upon failing to comply with the terms.

Another issue is that I was initially appointed counsel, to which had made very rude, offensive comments showing obviously he was very bias, to which I asked for counsel to be removed and to allow myself to represent myself, as Pro Per. I was very rudely, "_____", and belittled, as the judge and his secratary giggled and commented among themselves as they stared at me. The substitute Prosecutor for the State, who I had spoken with, and attempted to resolve matters outside of trial, told me

_____ and in which also giggled to the juges remarks. My motion was denied and security was called on me, as he removed counsel as well in addition to have just denying my motion and right to self represent. Another court date had also been set for ____.

At that point, I had seen what I was up against, and being no counsel and not allowed to self represent, nor being in the financial position to hire an attorney, saw no other option, to just plead guilty and throw my self at the courts mercy. I don't believe I am guilty, however, if law enforcement was allowed to stop citizens for stops that were not valid, and not have to give respects to rights, I suppose I could be found guilty of _____, being that the _____, which I was forced to complete roadside tests on, and which I had _____ afterwards to prove the existence of. However, whatever the reason, was also denied, which at that point, I was doing everything I could to give benefit of doubt when I was appointed new counsel. I did my best to ignore the comment that was made by Judge _____, that if I came back to court and this one didn't work out, that he was going to start assuming that I had mental type issues or other issues.

I gave the new counsel and honest try, as I told Judge _____ that I would do, and after approx _____ months of continuances, which time waived was granted, even with my objections to, and new counsel making very bias and rude comments, including one alleging that I "

", and that I should consider remaining silent at trial so the jury does not form a negative opinion based on my testimony. Counsel had not one time listened to my side, nor had even contacted or interviewed the arresting officer, and instead of asking for an evidentiary hearing planned, set as being ready for trial. I filed a complaint when no pretrial motions had been filed on the day set as motions deadline. Counsel, as a result of my complaint,

I was immediately notified of a status review hearing, at which I was denied new counsel. I explained my issues of conflict with counsel and was not given a chance to state my reasons for the complaint. I was at that point told my motion that I submitted _____ prior to self represent was being granted, and advisory counsel was being appointed to which had defended the initial case and to which I had, in advance made clear of my conflict with and objected firmly to the appointment of. I begged to be appointed new counsel, with the request of non bias counsel, and denied. I was also told I was to immediately be see by his psychologist, to determine if I was competent. I also objected to that and objected to self represented, as I made clear I no longer had the energy or confidence that I had when I submitted the motion.

When seeing the Psychologist I was told I must see the next morning, threatened with contempt of court for not going, the only thing the Dr. was interested in talking to me about was the details regarding my court case, led me to believe that I was very sane and believed that I was being treated very unfairly. In addition, he provided me with _____ and _____ and would personally call to see about _____ my situation.

I met with this _____ to which made it clear that I had definitely " _____ ", and _____ offered to use his " _____ " with the judge in my favor. His services were in no way, _____ and _____ who made a point to continue trying to gain my confidence _____ being my advantage in the case of my _____ all up

front, and with no guarantees, with was made with an emphasis on, and asking if I would be able to
" , and claiming that I must be "
".

I could not even if I had wanted them, however, I feel that whole ordeal
was pre arranged, especially upon find the to whom I was ordered to see, and
that Jury Behavior Research and selecting a speech that he had given " " were
amongst it, also the fact that I for a living of approx.
and which had been told by that the environmental/bird conservation groups had
been trying to keep him from I believe the

I have also been told, an to which I am only claiming to be hearsay and as of now, not
confirmed, but have been told that , used to I believe was/is called
and have also been told he is related to
to which is and has had

The has been using delay tactics, ensuring that late delivery of motions that
had been filed, which took days on one to be delivered, routing them through the
after being told to deal directly with myself, as council was advisory only. I filed what
motions I was able to put together the day they were due, however not filed by court until
I have filed a response to the state's motion, and has been filed as miscellaneous. Judge
is now holding me to the same standards of a barred attorney and as a Pro Se Defendant, in
which I made clear I was objecting to.

I hope this type of conduct is not considered as acceptable. I have read through the
Judicial cannons, and best of my understanding, is not proper or ethical conduct. I would like to
think that. has just been under-educated in opposed to doing anything of the sort
intentionally to harm my present or future freedom and/or well being.

Thank you for your time to look into, possibly resolve this issue, to help maintain with the law
and in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Respectfully,

on