

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-136

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge had failed to take appropriate action regarding his complaint about a defense investigator assigned to his case.

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(a).

Commission member Gus Aragón did not participate in the consideration of this matter.

Dated: June 29, 2016

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 June 29, 2016.

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

10MP

2016-136

1 of 8

To:

From:

RE:

Case#:

In , I was by
having my grabbed & called a
By a , Named
" during a in person legal Visit.

The visit was terminated early & I ~~about~~
immediately, notified the
& , whom told me that
they could not remove from my
case & was advised that Only a Judge
can & has the inherited authority to
remove him.

In my past I have no such history of
any allegation of such nor have I ever
filed a complaint of any nature with
anyone I have had assigned to my case
or worth with.

In a situation that a defendant, who is
proclaiming his innocence & can prove it
however do to the fact I'm indigent
& cannot afford a lawyer or investigator

2 of 8

to secure the appropriate information
 the would exonerate him, yet the person
 in the Court not only approves to assist
 you with those efforts, instead of him
 actually doing what he was contracted
 to do.

then threatens that if you
 come forward with what happen he will
 me over.

With the Judge & the Judge only having
 that power to order an investigation, have
 him removed from the case, A Judge
 bares the responsibility to ensure the
 safety of Both parties the

& the fact that a
 , does not give
 the O.K. to deliberately ignore such
 serious accusation, which are crimes
 yet despite repeatedly bringing it to
 the Courts attention it remains unadd-
 ressed & me being a victim of
 assault & the Judge providing a platform
 for a Man to get away with a crime.

This was about an issue clearly in
 the interest of Justice, & from a Legal
 Ethical Obligation, the Judge has to

3st8

at the minimum exercise commonsense
Especially when the person the allegations
are made against, do not deny that
these acts took place & requested to be
took of the case, the court still ignored
the issue, even a none lawyer on the
case filed meaning, yes he was a lawyer
just not assigned to my case filed a
Motion to attempt to get proper redress
on the issue yet the court still ignored
it.

Under no circumstances, if such an allegation
was ever brought to the attention of
any Police, any Barr, Judge by any lay
person it would never be ignored or ever
looked & would be taken seriously.

This is not about a ruling on a Motion,
this is about the legal & ethical obligation
the "Judge" who is the only one that
can take the appropriate action I am
further endangering the.

& to avoid compromising a
defendant's case. You cannot as a Judge
ignore & go out of your way to not
respond & address straight forward
complaint of this magnitude.

this was not an issue of Oh the
& we are not getting along, a
Crime was committed, & Even if the
Court didn't believe me, you still don't
ignore it, you still don't act like you
have not been advise & then after such
an incident, how could you ~~logically~~
or reasonably expect that the defend-
ant & investigator could even possibly
work together. On its face not plausible.

Then you put the defendant in a situation
of having to file a Complaint on the
Judge which in turn opens the defendant
up to further Bias & retaliation by the
Judge.

You cannot as a Judicial Commission on
Conduct, say that it is O.K. to place a
defendant at risk of any harm, especia-
lly once it is brought to your attention
the Judge has an legal & Ethical
obligation to take action rather than
ignore, it has now been nearly
years & the Judge is still ignoring the
issue, it is enough time now for the
record to be reviewed in the context
that deliberative ignoring is take place

is that Racial Discrimination is factor.
 Understanding that although this should
 be an impartial investigation conducted
 by your office, its like you guys don't
 want to hold Judges accountable, we
 are talking about how
 could nothing not be wrong with that.

Your office can review the entire
 record, to see that I have been diligent
 & consistence in trying to get proper redress
 on the issue.

The Case # is if all
 dockets are reviewed since
 to the present day, you will see
 the obvious, you will see a pattern, you
 will see willful & deliberate neglect

Is there a difference, when a
 says someone grabbed , no
 you don't ignore it, Is there a difference
 when a

without consent, no
 its still constitutes a crime, you don't
 ignore it you take it serious, you investi-
 gate it & you definitely don't try
 to force the (2) to work together.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**