

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-219

Judges:

Complainant:

ORDER

The complainant alleged two superior court judges improperly failed to disqualify themselves from his case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 judges' rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judges did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Dated: October 5, 2016

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judges on October 5, 2016.

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

EVENTS LEADING TO THIS COMPLAINT

1. withrew as counsel (Motion) on E-filing
2. DOCKET:
3. As per Ruling in " " above, timely filed his Rule 32 Petition:

a) DOCKET:

NOTE: DEFECTS IN MATTER AFFIDAVIT

4. As per Ruling in " " above, and Rules Crim. Proc., Rule 32.6a, the STATE had days to file an ANSWER to Petition.
 - a) The day fell on ()
 - b) The STATE never filed an ANSWER to Petitioner's Motion
5. filed a Notice, as if the STATE had filed an Answer, in compliance with Rules Crim. Proc., Rule 32.6b.

a) DOCKET:

NOTE: OF DEFAULT AND DISHONOR

6. The STATE, no longer having standing to Answer Petition, filed on the day, (NOT WITHIN DAYS), ignoring the Ruling in " " above, ignoring Rules Crim. Proc., Rule 32.6a.

a) DOCKET:

7. filed a " " in compliance with Rule 32.9c on within days, to
 - a) Division : Case No.:

COMPLAINT

Complaintant, believes the following violations have occurred in this matter, and are listed below, are self-evident, including a brief explanation of each violation against:

RULE 81: ARIZONA CODE OF JUDICIAL CONDUCT

1) Preamble; paragraphs 1 and 2, violations:

- a) "... fair, and impartial judiciary is indispensable to... system of justice."
- b) "... central role... principles of justice and rule of law."
- c) "... must respect and honor the judicial office as a public trust..."
- d) "... strive to maintain and enhance confidence in the legal system."
- e) "... maintain the dignity of judicial office at all times,..."
- f) "... avoid both impropriety and the appearance of impropriety..."
- g) "... conduct that ensures... greatest possible public confidence..."
- h) "... impartiality, integrity, and competence."

2) Rule 1.1 Compliance with the Law

- a) Violation of Rules Crim. Proc., Rule 32. Ga.
- b) No standing to Dismiss matter, (gave itself standing-STATE), even though STATE no longer had standing to Dismiss after days.

3) Rule 1.2 Promoting Confidence in the Judiciary

- a) confidence in fairness, impartiality, lack of prejudicial actions; Case No has been proven by in , by its continued actions, to be in contempt of the very laws they swear to uphold. has lost confidence in Arizona.

4) Rule 2.2 Impartiality and Fairness

- a) As stated in "3)" above, applies here. The word " " comes to mind to describe the Rule 32 matter, and how has been treated. KNOWING, he should, NOW, be out of , with all charges dropped, with his case Dismissed With Prejudice, having in his Petition; instead of STATE acting honorably, did criminal actions, expecting them to also be ignored.

5) Rule 2.6 Ensuring the Right to Be Heard

a) In Petition; " cited in Paragraph " (PAGE), he requested a hearing on the matter, and clearly stated at the of the page of this filing, in bold font;

so he could give any required argument in matter; was not heard.

b) However, STATE Dismissed petition, without a hearing, and thereby, was additionally denied due process.

6) Rule 3.8 Appointments to Fiduciary Positions

a) DOCKET:

NOTE:

b) appointed

as a , on

. As

case is a

therefore, as is an

elected official or " comes under the laws of Basic Obligation of Public Service.

has requested to perform

responsibility, to known under

However, she has failed in her responsibilities to not only " but to " this matter, as requested by the TRUE

who is also the Duly

Authorized Representative of

c) Everything stated "(6) b)" above, also applies to _____, as he was appointed as a _____ in the same filing, as stated in "(6) a)" above.

7) Rule 2.11 Disqualification

a) Paragraph (A); even though either _____ or _____ must disqualify themselves, due to being a party to the matter, upon that action, would then be capable of their de jure responsibilities to the _____ to SETTLE AND CLOSE the case, _____ requested

1) Neither _____ has "_____ the case, protected the _____ from further injury; but by failing to close the case as requested by _____, instead Dismissed the matter, to the Prejudice of _____ has caused substantial injury to his person; there by incarceration - since _____

b) Paragraph (2)(a) Both judges are a party to the proceeding.

c) Paragraph (2)(c) Both judges have/are substantially more involved and have much more than a "_____ in the outcome. Not only as a _____, but in the personal damage the CONTINUED violation of infringement on _____ held by _____, because the STATE continues in violation of _____ while continuing suit against _____

1) DOCKET:

NOTE:

d) Paragraph () The verbiage of this Rule cites "_____ and _____ has a _____ in the outcome of this matter.

8) Failure to uphold Oath of Office; to uphold laws; US and STATE.

9) Although cannot prove the motivation behind dismissing the matter, it certainly is motive to do so, when a is involved, especially when it is against them—precisely why Rule 2.11 was created, to avoid this kind of situation.

a) Motivation:

b) Motivation:

the Rule 32 matter as

not wanting to
requested.

c) Not wanting to give up a "judgement, unlawfully obtained.

d) Not wanting the embarrassment of failure to file an Answer in a timely manner, according to Rule 32.6a.

e) Not wanting to exercise his right to ;
pay off his charges/dishonor to STATE and close case. ;

CLOSING STATEMENT

This CASE should have been closed in and
released from incarceration, with all charges dismissed and the
record expunged. When the "violates the very
laws they are expected to uphold, it becomes Constitutionally
REPUGNANT to all involved and to its citizens that expect
the "to be fair and equitable. When the
"in such a manner, in my case; with
blatant violation of Rules Crim. Proc., Rule 32.6a, it MUST
be called exactly what has done;
CONTEMPT OF LAW! Citizens in this county, including
have a Constitutional right to be heard and
our "to conform to statutory law.