

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaints 18-077 & 18-143

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Judge:           Bruce E. Staggs

Complainants: Sara Herman  
                  Christina Edmiston

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**ORDER**

Two inter-related complaints alleged a justice of the peace engaged in multiple acts of misconduct, including improper demeanor, improper political activity, hostile work environment, prejudgment of cases, and *ex parte* communication.

Statement on a Pending Matter – State v. M.C. – CR20160060

M.C. was charged with misdemeanor theft for allegedly stealing one solar light from a woman’s yard. He failed to appear at the time of his trial. After discussion with the prosecutor and a law enforcement officer present in court, Judge Staggs issued a warrant for M.C.’s arrest and directed the law enforcement officer to attempt to locate M.C. and bring him back to court that day. During this conversation, Judge Staggs announced his intention to “keep” M.C. if he was brought back before the court that day. Although M.C. had a well-documented history of failing to appear on prior matters, this statement was made without Judge Staggs having any information as to why M.C. had not appeared for trial that day, or even if the evidence to be presented would be sufficient to convict M.C. on the theft charge. Specifically, the recording showed the following exchange occurred:

Law Enforcement Officer: I was thinking, this is a good way to, if we could get him in custody and you can uh keep him.

Judge Staggs: Yeah. I’m going to.

...

Judge Staggs: If we can try that first and it doesn’t work, then we’ll set another date and we’ll just keep him in custody. You bring him back here sergeant when you pick him up and we’ll keep him in custody until it’s time for the new trial.

M.C. was arrested on the warrant and brought before Judge Staggs later in the day. Following a bench trial, Judge Staggs found M.C. guilty of theft.

Judge Staggs' comment about "keep[ing]" M.C. was an improper statement on a pending matter and violated the following provisions of the Code:

- Rule 1.2, which requires that a judge "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."
- Rule 2.10(A), which states, "a judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing."

#### Improper Political Activity

Judge Staggs was elected in 2014, and he took office on January 1, 2015. Following his election, Judge Staggs kept two binders in his judicial office containing both the Republican and Democrat "walking lists," or voter registration lists for his justice court precinct. These lists also contained notes on personal interactions Judge Staggs had with individuals on the lists, and whether they assisted him with his campaign, i.e., whether campaign materials were left with them, and/or whether they expressed a willingness to vote for him, and/or whether they allowed him to put a sign in their yard. Judge Staggs also kept his nominating petitions for his 2018 re-election campaign in his office, along with a binder containing political endorsements and other promotional campaign materials. Judge Staggs distributed nail files that stated "Bruce Staggs – Justice of the Peace, Benson JP Court" during court hours. Judge Staggs removed the binders with the "walking lists," endorsements, nominating petitions, and nail files after communications with the Commission regarding another matter.

Keeping political and campaign material in a judicial office gives an appearance of impropriety. Judge Staggs' conduct in keeping the materials in his office violated the following provisions of the Code:

- Rule 1.2, which requires that a judge "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."
- Rule 4.1(A)(8), which states, "a judge or judicial candidate shall not use court staff, facilities, or other court resources in a campaign for judicial office."



### Comment on Religion in Court Document

On February 12, 2015, Judge Staggs issued a minute entry in a criminal case (CR20080027) where J.I. was the defendant, stating:

Defendant has made excuse of being busy due to being a full time college student, an employee making minimum wage and a Mormon. The majority of people paying fines are employed, many are students and many are church goers. The Mormon's [sic] the Court are [sic] associated with are good people that live up to their responsibilities. The court knows because He is the Sunday School President at an LDS ward.

In his response, Judge Staggs stated his intention was to impress upon the defendant that his excuses were ineffectual, however, Judge Staggs' comments in the minute entry could have been construed to suggest that he might identify too strongly with members of a certain religion appearing in his court, thus creating at least an appearance of impropriety in violation of the following provisions of the Code:

- Rule 1.2, which requires a judge to “act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”

### Improper Independent Investigation

In B.W.'s criminal case (TR201701914), Judge Staggs issued a minute entry in which he addressed a posting made by B.W.'s spouse on social media that was critical of Judge Staggs. The minute entry specifically stated that Judge Staggs' wife had brought the social media posting to his attention. In the minute entry, Judge Staggs discussed the posting, its alleged inaccuracies, and requested that her post be corrected. Judge Staggs' review of the social media posting and his response thereto amounted to an improper independent investigation, and his choice to respond to social media criticism in an official public record did not inspire confidence in the judiciary. Judge Staggs' conduct violated the following provisions of the Code:

- Rule 1.2, which requires a judge to “act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”

- Rule 2.9(C), which states “[e]xcept as otherwise provided by law, a judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.”

#### Inappropriate Comments to Staff

After taking office in January 2015, Judge Staggs would occasionally refer to his female employees with the generic term of “woman,” using such phrases as, “Get to work woman!” and “Let’s go woman!” He admitted to using the term “woman” to refer to his female employees, but claimed it was an inadvertent use, as he referred to his wife as “woman.” Judge Staggs ceased all use of this term on court premises when at least one court employee expressed that she found it offensive.

In either 2016 or 2017, Judge Staggs made comments to a clerk, D.S., regarding the zippers in the ankle/calf area of her pants of “you’re unzipped,” or similar words to that effect. Respondent also commented that he “wondered if he would get the same reaction if he were unzipped,” or similar words to that effect.

While Judge Staggs may have meant no offense by these comments, such comments served to damage relationships with court staff and diminished confidence in his position as a judicial officer. Such conduct violated the following provisions of the Code:

- Rule 1.2, which requires a judge to “act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”
- Rule 2.8(B), which states, “a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity . . . .”

#### Remaining Allegations

The Commission did not find clear and convincing evidence for the remaining allegations of the complaints.

The Commission has not viewed each area of the aforementioned incidents in isolation, but rather viewed the violations in the totality in determining an appropriate sanction. The Commission has also considered letters of support for Judge Staggs from other court employees and members of his community.

Accordingly, Judge Bruce E. Staggs of the Benson Justice Court is hereby publicly reprimanded for his conduct as described above and pursuant to Commission

Rule 17(a). The records in this case, consisting of the complaint, the judge's response, and this order shall be made public as required by Rule 9(a).

Commission member Barbara Brown did not participate in the consideration of this matter.

Dated: November 17, 2020

FOR THE COMMISSION

/s/ Louis Frank Dominguez  
Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were distributed to all appropriate persons on November 17, 2020.

**CONFIDENTIAL**

Arizona Commission on Judicial Conduct  
 1501 W. Washington Street, Suite 229  
 Phoenix, Arizona 85007

**FOR OFFICE USE ONLY****2018-077****COMPLAINT AGAINST A JUDGE****Name:** Sara Herman**Judge's Name:** Bruce Staggs

I am a former employee from Benson Justice Court Precinct #3. I am able to submit this complaint now because I have left Benson Justice Court under favorable circumstances and do not fear retaliation. I am writing this complaint because Judge Bruce Staggs does not conduct himself in an independent, fair or impartial manner. His term in the Justice Court beginning in 2015 has not been competent or dignified. He is rude sarcastic, and vindictive. He makes sexist, racial and derogatory comments to his staff when in his office. His lack of management is concerning as he rarely accepts responsibility. His conduct has been in question even before he first took office and was appointed as a pro-term Judge. Numerous complaints have been reported to human resources and court administration but as an elected official there has been little that could be done. It is my request for this board to investigate Judge Staggs and ask that the board interview his staff and the employees that have left. I am submitting some examples of his conduct although this is a very short list of his ethical indiscretions. I feel it is important for someone to stand up for the Integrity of the Judicial System and for those victims that have not been heard.

I am submitting evidence that Judge Staggs is swayed by partisan interest, public opinion and fear of criticism - in violation of Rule 2.4; that he fulfills promises made during his previous and current election campaign - in violation of Rule 4.1(10); that he bullies some litigants and office staff by not being patient, dignified or courteous - in violation of Rule 2.8; and that he routinely uses court staff, facilities and other court resources in his campaign to be re-elected - in violation of Rule 4.1(8). In short, he is in violation of Rule 1.2 "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."

I have included the following exhibits:

- Exhibit #1 : Audio CD of Arraignment Hearings on 3-9-16
- Exhibit #2 : Audio CD of the trial CR20160060 on 6-14-16,
- Exhibit #3 : 2 Audio CDs of Arraignment 8-16-17 (3A & 3B)
- Exhibit #4 : CR20160060 Case History (4A), Citation (4B), Probable Cause (4C), States Supplemental Disclosure Notice (4D), Waiver of Council (4E), FTA Complaint (4F), Warrant (4G), Warrant Recall (4H), Court Criminal Trial Worksheets (4I), Judgment and Sentence Order (4J), Payment Order (4K), Order of Commitment (4L), Motion from Public Defender (to Vacate Judgment-Refer to IDC-and Request for Hearing) (4M), Minute Entry in Response to Public Defender (4N), Release Order (4O).
- Exhibit #5: Pictures of Judge Staggs Voter Registration Binders (5A, 5B, 5C)
- Exhibit #6 : Pictures of Pages of Voter Registration List showing notes on registered voters he has contacted (6A, 6B, 6C)
- Exhibit #7 : Pictures of Voter Registration Pages showing victim "A P" (7A Democrat pg) & (7B Republican pg)
- Exhibit #8 : Picture of Judge Staggs' nomination petition  
 Judge Staggs pressured employees (R A /C ; E ) and public to sign his petition during work hours at Court House.
- Exhibit #9 : Copy of Judge Staggs' campaign book showing list of endorsements & comments from people in court. (9A, 9B, 9C)

On 3/4/16 a complaint was filed with the Benson Justice Court charging Mr. C with Theft of a solar yard light with a value of \$20.00. On 3/9/16 Mr. C was arraigned, his rights were read, charge explained, waived his right to counsel and entered a plea of not guilty. During the Arraignment Mr. C admitted to having mental issues as well as his mother speaking on his behalf regarding the mental issues that the Defendant has. Following is from the CD.

Judge Staggs: (Exhibit 1-29:50) Is this your mother in the back?

C : Yes Sir

Judge: So what do you put her through this for?

C : I don't know because I'm sick.

Mrs. C is heard explaining to the Judge how her son takes medication for his sickness (30:08)

At this time the standard procedure was to assign the case to the Indigent Defense Coordinator, however the judge did not like assigning cases to the Indigent Defense Coordinator. He had spoken out in the office regarding his dislike by saying that it was a waste of money and the county resources should be spent differently. Judge Staggs was also recorded saying that the Defendant could not use mental illness as an excuse. (Arraignment CD, 3/9/16, 30:28) A pretrial hearing was set for 4/21/16. At the pretrial conference the county attorney set the case for trial which was set for 5/10/16 which was later continued to 6/14/16.

On 6/14/16 Judge Staggs' wife B and their neighbor Mrs. M came to observe the trial. Mr. C did not appear. There was discussion about trying the case in absentia. The County Attorney advised that they could not as he had not signed his Trial notice and suggested that they issue a warrant and combine another case with this one in the pretrial coming up. Judge Staggs asked if Sgt G could just go get him. The prosecutor said "No". Sgt G said he could if a warrant was issued. A Fail to Appear warrant complaint was signed and Warrant was issued. There was talk about whether to hold the trial immediately or reset it for another date and keep him in custody. Judge Staggs said he was not in a hurry, but knew the victim "A P" had health issues and wanted to be considerate to her. It was decided that if he was located soon the trial would be held.

While the court was waiting to see if he could be located, Judge Staggs came into his office. He was telling his clerks that he intended to put him in jail for 6 months. The chief clerk, A N asked if he should refer him to the Indigent Defense Coordinator for an attorney and hold the trial later if he already knew he was going to put him in jail. C E told him he should have an attorney as he is special needs. Judge Staggs raised his voice angrily in disagreement and looked up in his books to clarify that as Mr. C had already waived his rights in the case he was not required to give him an attorney. He stated he was going to put him in jail for the maximum time allowed by law because he had so many prior cases. Judge Staggs was openly frustrated and upset.

A short time later Sgt G returned from Mr. C's house where he had located him sleeping in bed. He was arrested and brought back to stand trial. Sgt G explained to Judge Staggs that M said no one had woke him up. Before the trial started Mr. C was not read his rights or offered an attorney on the Fail to Appear charge. He was told that as he presented himself there without an attorney that he gave up his right to one. Judge Staggs asked him if anyone had forced him to appear at trial. Although Mr. C was arrested and brought in by Sgt G he replied no. The Victim – A P – in testimony commented that Mr. C was an adult with a child's mind. Mr. C did not testify in his defense. Mr. C was found guilty of both charges. Before sentencing, the victim said she just wanted him to be put away and to be reimbursed the value of her light – Mr. C had previously given her the light back when she drove over to question him herself, which was testified to by Sgt. G. Mr. C was sentenced to the maximum sentence allowed by law. On the Theft charge he was sentenced to 6 months in jail with a release date of , 2016, fine of \$4575.00, Court Security Fee of \$36.60, Time Payment Fee of \$40.00, restitution of \$20.00

and 3 years of probation. On the Fail to Appear charge he was sentenced to \$667.00. The total due \$5338.60 due by [redacted], 2016 which was before his release date of December 11, 2016. Judge Staggs asked the prosecutor Ann Roberts how they work probation and she replied that she didn't know as she had never seen anything like this before. Judge Staggs then waived the probation. (See exhibits 2 and 4A-L)

After the sentencing Judge Staggs' wife followed him into his office and the clerks could hear them talking. Judge Staggs said "I know, but I know the victim... (A [redacted] P [redacted] a). I promised her in the campaign that I would clean up her neighborhood and I have to keep my promise" He then shut the door and we could not hear the rest of their conversation.

Judge Staggs keeps voter registration information in 2 binders on his shelf. He keeps notes from his election campaign by the names and addresses listed in the book. He states that he likes to keep notes on people so he can remember who he is dealing with. In both books he has notes on A [redacted] P [redacted] who was the victim in this case. Ms. P [redacted] allowed him to put up political signs. Judge Staggs refers to these books before trials and cross references them with the County Attorney's Supplemental Rule 15 Disclosure Notice. It is Judge Staggs policy that the Rule 15 Disclosure Notice be filed with the court at least one day in advance so that he has time to prepare his trial form and cross reference Defendants and victims with his voter registration binder. (See exhibit 4D, 5A, 5B, 5C, 6A, 6B, 6C, 7A, 7C ).

Later that afternoon Judge Staggs set aside the guilty disposition on the Fail to Appear charge and dismissed the Fail to Appear charge.

On [redacted], 2016 a Motion to Vacate Judgement; Motion to schedule Hearing; Motion to refer to IDC for Appointment of Counsel was received from Mark Suagee the Cochise County Public Defender who was representing Mr. C [redacted] on another case. Mr. Suagee states in his Memorandum of Points and Authorities that "When this defendant was sentenced to a six month jail sentence, the sentence, thus, violated the United States Constitution, and as counsel has been deemed a fundamental right of the accused, the Constitution of the State of Arizona. The judgment should be vacated and set aside." (See exhibit 4M)

On [redacted] Judge Staggs denied the Motion to Vacate, the Motion to Schedule Hearing and Motion to Refer to IDC for Appointment of Counsel. (See exhibit 4N).

On [redacted] 2016 \$20.00 restitution \$10.00 towards fines was paid to the court.

On [redacted] 2016 Judge Staggs released Mr. C [redacted] from jail with credit given for time served, and case was closed. The Minute Entry and Order only states credit for time served, it does not reference why the remaining jail time and fines were suspended. (See Exhibit 4O)

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On August 16, 2017 M [redacted] C [redacted] arrived at court late for arraignment on another new case CR [redacted]. It is Judge Staggs policy to leave late defendants until last. When Judge Staggs observed Mr. C [redacted] coming in and sitting down to fill out paperwork his demeanor changed. He called him to the front of the case load and began to make an example of him in front of the other people in court for arraignments. I personally did not witness this for myself due to the fact that I had already left my employment from the Justice court. This particular situation was explained to me from a current employee. However the practice of using Mr. C [redacted] case as an example was a common occurrence for Judge Bruce Staggs. Judge Staggs likes to use Mr. C [redacted] case as an example to defendants when informing defendants of the maximum penalties. Following is from the CD of Mr. C [redacted] Arraignment on

Judge: (Exhibit 3A-11:01) Mr. C [redacted] Step Forward Please. Mr. C [redacted] .....Step Forward. What are you doing back in my court again? (Forcefully with disdain)

C [redacted] (Sighs....) Well....I made a mistake.

Judge: (Scoffing sound) You were back last week too right?

C : Yes, Yes sir..

Judge: Alright Mr. C ... we're not happy.

C : I have a...I have a mental issue.

Judge: Well Mr. C , just recognizing that you have a mental issue ....means alot...ahhh (disdainful scoff) Anyway, what happened last time?

C : Uhhh....

Judge: I mean two times ago? What happened? Do you remember what happened?

C : I think I got locked up...

Judge: Yeah....ya think (condescendingly)....you got locked up...didn't ya... and yet (hissing) you got locked up for the theft and last week you were in here for another theft and this week you're in here for another theft.

C : Yes.

Judge: Ummm....Alright Mr. C ... Sir it's a... I got all your contact information so I am not going to bother collecting it. This is case number ( ) St of AZ vs C . Mr. C , it is alleged that on August 2, 2017 @ 1:00 in the morning on ahh... :.... Oh...what were you even doing out at that time?

C : Just ahhh being bored. Just being bored your honor just...

Judge: You know what maybe if you get a job maybe you wouldn't be bored.... What do you think?

C : I do have a job.

Judge: Where? (Disbelievingly)

C : Wendy's (?).

Judge: How much do you work a week?

C : Ummm....3 times...3 times a week part time.

Judge: Anyway... (Disbelievingly – then reads charge)

Beginning (Exhibit 3A -13:13)

Judge: Wow,(Laughs amazed) I look at the PC statement.....PC statement says M was observed on police video surveillance video taking a bicycle from police impound! You stole from the police?! (Astounded)

C : Yeah.....(embarrassed)

Judge: Haa! Later found in possession of bicycle, said he took it so he didn't have to walk home. (Laughingly) Wow pretty bold Mr. C . Alright. This is a class 1 criminal misdemeanor, punishable by maximum 4575.00 in fines and up to 6 months in jail and up to 3 yrs of probation. Sir do you understand the charge?

C : Yes

Judge: And because it is theft, it is jury trial eligible.

C : Yes

Judge: And sir last time I put you in jail right?

C : Yes

Judge: So what I am going to do I am going to assign you an attorney on this case, because I am probably doing it again...should you be found guilty at trial or should you plead guilty. So umm... how would you like to...Are you willing to give up your right to remain silent or have an attorney present solely to just enter a plea?

C : I plead not guilty.

Judge: I need a yes or no answer first though.

C : Yes

Judge: Okay what do you plead?

C : I plead not guilty.

Judge: Alright Mr. C (Sets pretrial date)

Beginning (Exhibit 3A-14:42)

Judge: Yea....Alright Sir Like I say... Not happy that you're here... not at all... I guess if you're going to do it... go big I guess...stealing from the police...That's amazing! Alright...(Laughing disbelievingly) No questions?

C : No questions

7(Exhibit 3A-48:43) Same arraignment hearing Judge Staggs comments to another Defendant ( , who has appeared multiple times in front of Judge Staggs as well) about Mr. C who has left.

Judge: (amused chuckle) G i....Step forward Sir...So What are you doing back in my court?

: Well ah.... am asking myself the same question your Honor...

Judge: Ahhh...Well at least you're...it's not that ....that rodeo with M that was ....23, 24 his 25th time. Because before it was 23 right, So He had one last week and this week...it's 25 times. Okay...so

: It's insane.

Judge: Huh?

: It's insane.

Judge: Yeah...well... coming more than once is.... What do they say...you keep on doing the same thing expecting different result

: It's insanity man

Judge: There you go!.... anyway....well.... since this is not your 25<sup>th</sup> time- I am not going to speak to you as sharply how's that?

: Awesome...)

(Mr. i has been seen in the court many times on similar charges as Mr. M C )



(Exhibit 3B - 52:44) Judge Staggs talking after that day's arraignments.

Judge: That one little gal she was crying.... overall was a good...took a while, 11:00 instead of 10:00 but... it was productive today....except for Mr. C...he is in here again. This is number 25 he had 23 before, 24 last week and 25. Stealing from the police! How Stupid! Then he comes back with I have a mental problem, Baloney! He just falls back on that...yeah...sh.... whatever.... wow.... (Judge Staggs is heard banging files on bench to get clerks attention to turn off the recorder. This is routine for Judge Staggs to make a sign to clerk that they are to turn off the recorder so that he may talk to litigants off the record)

## Judicial Conduct Violations

1. Judge Staggs did not provide Mr. C the opportunity to have an attorney represent him for trial. Being arrested and brought into court to stand trial is not only forceful in the instance of the charge of theft, but not being arraigned on the 2<sup>nd</sup> charge of FTA and standing trial immediately violates the United States Constitution and the Constitution of Arizona. Judge Staggs made statements before Mr. C was arrested that he intended to put him in jail for 6 months. When his clerks asked about referring Mr. C to IDC for an attorney he became angry and impatient with the court staff. This is in violation of Judicial Canon Rule 1.1, Rule 1.2, Rule 2.2, Rule 2.8.
2. Judge Staggs keeps his "voters registration books" in his office and routinely uses them to look up notes on people he has contacted during his campaign. He uses this information before trials and sentencing hearings. Some notes are positive contacts and some notes are negative. In Mr. C's case he recognized the victim A P as a voter who had let him put up signs for his election and was heard telling his wife that he promised her during the campaign that he would clean up her neighborhood and had to be hard on him to keep his promise. This is in violation of Judicial Canon Rule 1.1, Rule 1.2, Rule 2.2, Rule 2.3, Rule 2.4.
3. On Judge Staggs deliberately intended to make an example of Mr. C in front of other defendants. His body stance, facial expressions, tone of voice and words were embarrassing and derogatory to Mr. C. When Mr. C arrived late for court arraignment, Judge Staggs stopped court proceedings, had the clerk bring his file to the front and proceeded to belittle and make an example of him in front of the other people present not only during the defendant's arraignment but continued making comments to another defendant in a derogatory and belittling manner after Mr. C had left the building. This does not promote confidence in anyone present that they will not be ridiculed publicly after they have left the court. Judge Staggs also made derogatory comments after the arraignment hearings, specifically about Mr. C's claim to having mental issues and Mr. C being stupid. This is in violation of Judicial Canon Rule 1.2, Rule 2.2, Rule 2.3, Rule 2.4, Rule 2.8, Rule 2.11.
4. Judge Staggs routinely solicits comments from people present in court for all hearings to write comments about his staff and about his conduct. Judge Staggs has court security and clerks obtain the comments from the box and photocopy them for him. He uses these comments in his campaign book to show voters. Defendants and Plaintiffs feel pressured to write good comments to gain favor with the Judge. Judge Staggs has asked court employees and public to sign his nomination petition and keeps it on his desk where it is readily available. Attached are copies of his petitions and campaign book showing the comments and his endorsement list that he updates at the court (Exhibits 8 & 9). This is in violation of Judicial Canon Rule 1.1, Rule 1.2, Rule 1.3, Rule 2.4.

The particular case cited in this complaint is one of many times Judge Bruce Staggs has acted in such a manner. There are far too many cases to pay for to provide as evidence. Judge Bruce Staggs feels he is above the law for the reasons listed above and I strongly feel he should not be in a position of public trust.

Respectfully,  
Sara Herman

COMP EXH - ENV CDs (4)

MAR 12 2018  
2018-077

exhibit  
3B

exhibit  
3A

exhibit  
2

exhibit  
1



BENSON JUSTICE COURT #3  
126 WEST 5TH STREET, SUITE #1  
BENSON, AZ 85602

Date: 08-26-2017  
Page: 1

Exhibit # 4A  
1-6

CASE HISTORY

2018-077

J-0203-CR-0020160060

ST OF AZ VS C M AN

TYPE: CRIM-CH18 THEFT

CURRENT STATUS: COMPLETED

09-23-2016

DATE FILED:

-----ATTORNEYS-----

DOB: (

LIC: !

ADDRESS:

C M 2

,AZ -

D 001 SENTENCED C M F

CHARGE 1: THEFT

13-1802A1

C00000000

CHARGE 2: FAILURE TO APPEAR - 2ND DEG 13-2506A (CR)

CASENUM

MAJOR EVENTS

PRE-ADJ WARRANT ISSUED	332	D 001
PRE-ADJ WARRANT QUASHED	332	D 001
FUND: BASE FINE		D 001
FUND: 2012 SURCHARGES (83%)		D 001
FUND: 2011 ADDTNL ASSESSMENT		D 001
FUND: VICTIM RIGHTS ENF ASSMNT		D 001
FUND: PROBATION ASSESSMENT		D 001
FUND: BASE FINE		D 001
FUND: 2012 SURCHARGES (83%)		D 001
FUND: 2011 ADDTNL ASSESSMENT		D 001

CASE HISTORY

J-0203-CR-0020160060

ST OF AZ VS CI MI

FUND: VICTIM RIGHTS ENF ASSMNT D 001

FUND: PROBATION ASSESSMENT D 001

FILING

PROCEEDINGS

DATE EVENT ENTRY RESULT PARTY

COMPLAINT FILED-UNIFORM CITATN 308 D 001

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

Citation C-000000000024573 Filed

PUBLIC INFORMATION SHEET 308 D 001

JWS-21430 issued by D.N. (5017) PUBLIC INFORMATION SHEET

ARRAIGNMENT 332 D 001

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

DEF APPEARED, RIGHTS READ, CHARGES EXPLAINED,  
WAIVED RIGHT TO COUNSEL, PLEAD NOT GUILTY, PT SET.

SH

PRETRIAL HEARING 332 D 001

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

DEF APPEARED, CASE SET FOR TRIAL.

SH

ORDER SENT: TRIAL 332 D 001

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

PRE-ADJ WARRANT ISSUED 332 D 001

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

WA3-00899 issued by S. H. (5590) PRE-ADJ WARRANT ISSUED

PRE-ADJ WARRANT QUASHED 332 D 001

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

CR MISD/FTA NON-JURY TRIAL HLD 332 D 001

CASE HISTORY

J-0203-CR-0020160060

ST OF AZ VS C/

M

EVENT JUDGE: HONORABLE BRUCE E. STAGGS

DEF APPEARED IN CUSTODY,  
OFFICER GAVE TESTIMONY, VICTIM GAVE TESTIMONY, SH  
GAVE TESTIMONY

DEF WAS FOUND GUILTY OF BOTH CHARGES,  
CHARGE A WAS SENTENCED TO FINE OF \$4575 PLUS  
RESTITUTION OF 20.00 PLUS 36.60 AND 40.00  
AS WELL AS 6 MONTHS OF JAIL TIME

CHARGE B WAS SENTENCED TO A FINE OF 667

SH

FUND: BASE FINE

Count 1-1 (\$2,480.87) FUND: BASE FINE

D 001

FUND: 2012 SURCHARGES (83%)

Count 1-1 (\$2,059.13) FUND: 2012 SURCHARGES (83%)

D 001

FUND: 2011 ADDTNL ASSESSMENT

Count 1-1 (\$13.00) FUND: 2011 ADDTNL ASSESSMENT

D 001

FUND: VICTIM RIGHTS ENF ASSMNT

Count 1-1 (\$2.00) FUND: VICTIM RIGHTS ENF ASSMNT

D 001

FUND: PROBATION ASSESSMENT

Count 1-1 (\$20.00) FUND: PROBATION ASSESSMENT

D 001

SENT: RESTITUTION

Count 1-1 (\$20.00) SENT: RESTITUTION

D 001

FUND: JP SECURITY FEE 83%

Count 1-1 (\$36.60) FUND: JP SECURITY FEE 83%

D 001

FUND: JP TIME PAYMENT FEE

Count 1-1 (\$20.00) FUND: JP TIME PAYMENT FEE

D 001

FUND: TIME PYMT \$20 JCEF

Count 1-1 (\$20.00) FUND: TIME PYMT \$20 JCEF

D 001

4A  
4-6

CASE HISTORY

J-0203-CR-0020160060

ST OF AZ VS C

MF

MOTION FILED	332	D	001
EVENT JUDGE: HONORABLE BRUCE E. STAGGS			
MINUTE ENTRY	332	D	001
EVENT JUDGE: HONORABLE BRUCE E. STAGGS			
AUTH: RESTITUTION		D	001
DISBURSED \$20.00 CK #2216 TO V-1 PAYOR D-1			
RELEASE ORDER	332	D	001
EVENT JUDGE: HONORABLE BRUCE E. STAGGS			
FUND: BASE FINE		D	001
Count 1-1 Suspended \$2,480.87			
FUND: 2012 SURCHARGES (83%)		D	001
Count 1-1 Suspended \$2,059.13			
FUND: 2011 ADDTNL ASSESSMENT		D	001
Count 1-1 Suspended 13.00			
FUND: TIME PYMT \$20 JCEF		D	001
Count 1-1 Suspended 10.00			
FUND: JP TIME PAYMENT FEE		D	001
Count 1-1 Suspended 20.00			
FUND: VICTIM RIGHTS ENF ASSMNT		D	001
Count 1-1 Suspended 2.00			
FUND: JP SECURITY FEE 83%		D	001
Count 1-1 Suspended 36.60			
FUND: PROBATION ASSESSMENT		D	001
Count 1-1 Suspended \$20.00			
RECORD DESTRUCTION - 5 YEAR	321	D	001
EVENT JUDGE: HONORABLE BRUCE E. STAGGS			

4A  
5-6

CASE HISTORY

J-0203-CR-0020160060

ST OF AZ VS C M

----- RECEIPTS

PYMT: RESTITUTION

RCPT: J000102697 AMT: \$20.00  
BALANCE DUE 4641.60

D 001

FUND: TIME PYMT \$20 JCEF

RCPT: J000102697 AMT: \$10.00  
BALANCE DUE 4641.60

D 001

----- CHARGE DISPOSITION AND SENTENCING

\*\* PARTY STATUS \*\*

SENTENCED

D 1 CF M

CITATION: C00000000002457

COUNT 1 -1 I 13-1802A1

THEFT

PLEA:

F 13-1802A1

THEFT

PLEA:

DISPOSITION: JDGMT GUILTY/RESP SENT IMPOSED

SENTENCE: MONETARY ONLY

COUNT 2 -1 I 13-2506A (CR)

FAILURE TO APPEAR - 2ND DEGREE

PLEA:

DISPOSITION: COMPL DISMISSED BY COURT

SENTENCE:

----- CONTRACT AND RECEIVABLE SUMMARY

1S 2012 SURCHARGES 83PC	\$0.00	\$0.00	D	001
1X 2011 ADDTNL ASSMNT	\$0.00	\$0.00	D	001
7F BASE FINE	\$0.00	\$0.00	D	001
9E PROBATION ASSESSMENT	\$0.00	\$0.00	D	001
R1 RESTITUTION - LJ	\$0.00	\$0.00	D	001
T3 TIME PMT \$20 JCEF	\$0.00	\$0.00	D	001
TP JP TIME PAYMENT FEE	\$0.00	\$0.00	D	001

Date: 1  
Page: 6

4 A  
6-6

[illegible]

PAYMENT SUMMARY		
J102697	\$20.00	D 001
J102697	\$10.00	D 001



Exhibit #4B

# BENSON POLICE DEPARTMENT BENSON JP #3

## TRAFFIC TICKET AND COMPLAINT

REPORT NUMBER

COMPLAINT		SOCIAL SECURITY NUMBER (Use same as DL #)		MILITARY	<input type="checkbox"/> ACCIDENT <input type="checkbox"/> FATALITY	<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> HAZ. MATERIAL
DRIVER'S LICENSE NUMBER		STATE/COUNTRY AZ		CLASS D	ENDORSEMENTS M H N P T X D	
DEFENDANT	NAME: FIRST M	MIDDLE	LAST C	PHONE		
RESIDENTIAL ADDRESS		CITY J	STATE/COUNTRY AZ	ZIP CODE		
SEX	WEIGHT	HEIGHT	EYES	HAIR	ORIGIN	DATE OF BIRTH
BUSINESS ADDRESS		CITY	STATE/COUNTRY	ZIP CODE		
VEHICLE		COLOR	YEAR	MAKE	STYLE	LICENSE PLATE
REGISTERED OWNER ( <input type="checkbox"/> SAME AS DEFENDANT )		ADDRESS		VEHICLE IDENTIFICATION NUMBER		EXPIR. DATE

## THE UNDERSIGNED CERTIFIES THAT:

ON	DATE (MO/DAY/YR)	TIME OF DAY	SPEED	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE	DIRECTION OF TRAVEL
AT	LOCATION Benson						COUNTY Cochise	STATE OF ARIZONA

## THE DEFENDANT COMMITTED THE FOLLOWING:

SECTION	ARS VIOLATION	CC	VIOLATION				<input type="checkbox"/> DOMESTIC VIOLENCE CASE
A	13-1802-A1	CC	Theft	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
				CR20110060			<input checked="" type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	VIOLATION				<input type="checkbox"/> DOMESTIC VIOLENCE CASE
B				DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
							<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	VIOLATION				<input type="checkbox"/> DOMESTIC VIOLENCE CASE
C				DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
							<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	VIOLATION				<input type="checkbox"/> DOMESTIC VIOLENCE CASE
D				DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
							<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC
SECTION	ARS VIOLATION	CC	VIOLATION				<input type="checkbox"/> DOMESTIC VIOLENCE CASE
E				DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
							<input type="checkbox"/> CRIMINAL <input type="checkbox"/> CIVIL TRAFFIC

YOU MUST  
APPEAR AT

JUDGE: B. Stagg

ADDRESS: 126 W. 5th Street, Suite 1

CITY: Benson Arizona

ZIP CODE: 85602

COURT NUMBER

0203

COURT PHONE

520-586-8100

AT THE DATE AND TIME INDICATED

DATE:

MONTH:

DAY:

YEAR:

TIME OF DAY

☒ AM  
☐ PMCRIMINAL: ☒ Without admitting guilt, I promise to appear as directed herein.CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.☒ VICTIM?☒ VICTIM NOTIFIED

I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

COMPL

SUBPOENA LIST

NAME: ADDRESS: PHONE:

NAME: ADDRESS: PHONE:

NAME: ADDRESS: PHONE:

ADDITIONAL SUBPOENA LIST ON: ☐ BACK ☐ ATTACHED

P1F I

COMPLAINT COPY

OFFICERS STATEMENT OF PROBABLE CAUSE

COURT: JP3

DATE: (

OFFICER: SGT. I G BENSON POLICE DEPARTMENT

DR# 201600798

OFFENSE: ARS 13-1802.A.1. Theft

SUBJECT: M: / DOB: (

On ( A: P: of: Benson Arizona reported having a solar yard light taken from her yard. On ( A: reported she recovered her light after seeing it displayed in the yard located at On ( A: provided video footage of ( hrs, of a male taking the light. Based on prior contact I recognized the subject as M ( I traveled to his residence where he advised he had taken the light. Mr ( was arrested, transported to the Benson Police Department where he issued a citation per the listed offense. Upon his promise to appear in court he acknowledged receipt by signature, was given a copy and released. NFI

Sgt. G  
Benson Police Department

RECEIVED

BENSON JP #3

BRIAN M. McINTYRE  
Cochise County Attorney  
P.O. Drawer CA  
Bisbee, Arizona 85603  
(520) 432-8700

IN THE JUSTICE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE, PRECINCT NO. THREE

STATE OF ARIZONA,

Plaintiff,

vs.

ML

C.

Defendant.

Case No: CR20160060

SUPPLEMENTAL STATE'S RULE 15  
DISCLOSURE NOTICE

Pursuant to Rule 15.1 of the Arizona Rules of Criminal Procedure, the  
following disclosure is made:

DEFENDANT'S ATTORNEY  
CHARGES  
ARRESTING OFFICER

UnknownTheft (13-1802(A)(1))Sargent G. BPDRULE 15.1(2) (1)WITNESSES:

1. Sgt. F. G.
2. A. P.

RULE 15.1(a) (3) EXPERTS: NONERULE 15.1(a) (4) PAPERS, DOCUMENTS, ETC.:

- 1) Copy of video surveillance

Submitted this :

ANN P. ROBERTS  
Deputy County Attorney

IN THE JUSTICE COURT PRECINCT NO. THREE, 126 5<sup>TH</sup> ST., STE #1, BENSON, AZ 85602 • (520) 586-8100

STATE OF ARIZONA

vs.

M

C

DEFENDANT

CASE NO.

CR20160060

WAIVER OF COUNSEL

**INSTRUCTIONS:** You have told the judge that you do not want an attorney. The purpose of this form is to notify you of your right to an attorney and of the ways in which an attorney can be important to you in this case, and also to allow you to give up your rights if you so choose. **READ THE ENTIRE FORM CAREFULLY BEFORE SIGNING.**

**RIGHT TO AN ATTORNEY**

I understand that I am charged with the crime of 13-1802 A1- theft.

which is a class X misdemeanor / class \_\_\_\_\_ felony under the law of Arizona and that if I am found guilty I can be given a severe punishment, including imprisonment in the Arizona State Prison / Cochise County Jail, a fine, or other penalty.

I understand that under the constitutions of the United States and the State of Arizona, I have the right to be represented by an attorney at all critical stages of this criminal case; before trial, at the trial itself, and during proceedings to determine what sentence should be imposed if I am found guilty. I understand that if I am unable to obtain the services of an attorney without incurring substantial hardship to myself or to my family, one will be appointed for me, and part or all of the cost will be paid for me.

I understand that the services of an attorney can be of great value in determining whether the charges against me are sufficient as a matter of law, whether the procedures used in investigating the charges and obtaining evidence against me, including any confession I may have made, were lawful, whether an act I may have committed actually amounts to the crime of which I am charged, whether I have any other valid defense to the charges, and if I am found guilty, whether I should be placed on probation, be required to pay a fine, or be sentenced to a term of imprisonment. I understand that if I am found guilty of the offense charged, the Court may sentence me to a term of imprisonment even though I have given up my rights to an attorney.

**RIGHT TO AN ATTORNEY AT ANY TIME**

I understand that I can change my mind about having an attorney at any time by asking the judge to appoint an attorney for me, but I will not be entitled to repeat any part of the case already held without an attorney.

**CERTIFICATION OF WAIVER**

DO NOT SIGN THIS FORM UNLESS YOU HAVE READ IT COMPLETELY OR HAD IT READ TO YOU.

DO NOT SIGN THIS FORM IF YOU WANT AN ATTORNEY.

After reading and understanding all of the above, I give up my right to an attorney in this case, and to have an attorney appointed for me if I cannot afford one.

DATED = 1/7

\_\_\_\_\_

\_\_\_\_\_  
Judge W

Exhibit # 4F

BENSON JUSTICE COURT PRECINCT #3 126 W. 5<sup>TH</sup> ST., BENSON, AZ 85602 (520) 586-8100

STATE OF ARIZONA	Plaintiff
Vs.	
M.	C/
	Defendant

FAILURE TO APPEAR  
COMPLAINT

Case No.: J -0203 - CR - 0020160060

THE COMPLAINT HEREIN PERSONALLY APPEARS AND, BEING DULY SWORN, COMPLAINS [OF HIS OWN KNOWLEDGE] AGAINST

M/ C/

CHARGING THAT IN BENSON JUSTICE COURT PRECINCT THREE, COCHISE COUNTY, ARIZONA:  
ON OR ABOUT THE  
COMMITTED:

COUNT 1

FAILED TO APPEAR AND ANSWER FOR AN ALLEGED VIOLATION OF A.R.S. §13-1802A1 - THEFT WHICH  
OCCURRED ON  
IN VIOLATION OF A.R.S. §13-2506.A, A CLASS 1 MISDEMEANOR.

\_\_\_\_\_  
COMPLAINANT

SPECIAL COCHISE COUNTY DEPUTY ATTORNEY  
AGENCY OR TITLE

SUBSCRIBED AND SWORN TO BEFORE ME ON

\_\_\_\_\_  
JUSTICE OF THE PEACE

Exhibit # 46

**BENSON JUSTICE COURT PRECINCT #3 126 W. 5<sup>TH</sup> ST., BENSON, AZ 85602 (520) 586-8100**

State of Arizona,  Plaintiff, vs. M. C. Defendant.	Case No. J -0203 - CR - 0020160060  Officer: F I G Agency: BENSON POLICE DEPT. DR#: COURT: 0203	Misdemeanor Arrest Warrant Failure to Appear A.R.S. §13-2506(A) (FDR needed)
---	--	---

Address: \_\_\_\_\_  
Sex: \_\_\_ Wgt: \_\_\_ Hgt: \_\_\_ Eye: \_\_\_ Hair: \_\_\_ Race: \_\_\_ D.O.B: \_\_\_ SSN#: \_\_\_\_\_  
Purge: \_\_\_\_\_ AZ Ext: \_\_\_\_\_ ADJACENT COUNTIES: \_\_\_ X \_\_\_  
DL#: \_\_\_\_\_ ate: AZ Bond Amount: \$1471.00

**TO ALL PEACE OFFICERS OF THE STATE OF ARIZONA**

A complaint has been filed in this Court charging the above named defendant committed the following offense (s)  
  
**A.R.S. § 13-2506(A), Failure to Appear - 2nd Degree, a class one misdemeanor**  
  
**Original charge(s): A.R.S. §13-1802A1 - THEFT, a class 1 misdemeanor.**

\*\*\*\*\*

I have found reasonable cause to believe that such offense(s) were committed and that the accused committed them, and reason to believe that the accused will not appear in response to a summons, or that a warrant is otherwise appropriate. **YOU ARE THEREFORE ORDERED** to arrest the accused and bring him before this court to answer the charges. If this court is unavailable, or if the arrest is made in another county, you shall take him/her before the nearest or most accessible Magistrate/Justice of the Peace in the same county as the arrest.

[X] Defendant may be released if a \$1471.00 secured appearance bond is posted by or on behalf of the accused.

Victim's Rights Applicable: [ X ] YES [ ] NO

DATED: \_\_\_\_\_  
  
\_\_\_\_\_  
JUSTICE OF THE PEACE

**CERTIFICATE OF EXECUTION**

I certify that I arrested \_\_\_\_\_ at \_\_\_\_\_ on \_\_\_\_\_  
and presented him before Judge \_\_\_\_\_  
Date: \_\_\_\_\_  
\_\_\_\_\_  
Agency

## COCHISE COUNTY JUSTICE COURT PRECINCT 3

126 WEST 5<sup>TH</sup> STREET, SUITE NO. 1, BENSON, AZ

Court ID: 0203

STATE OF ARIZONA,  Plaintiff,  M C  Defendant.	WARRANT NO.  CR20160060	ORDER TO  RECALL WARRANT
--	-------------------------------	--------------------------------

Defendant's Date of Birth	Date Warrant Issued

The above referenced warrant(s) is recalled.

Bruce E. Staggs

Justice of the Peace

Recall order to:

	AZ DPS	CCSO	BPD	ROC	GF	Other
Date						
Time						
Fax			X			
Phone Name / #						

By: \_\_\_\_\_

Court Clerk Signature - Court Seal

Exhibit # 4I  
1-3

## Criminal Trial Checklist

Date: \_\_\_\_\_

Case Number: CR 2016 0060

Defendant: **Mr. Mr C**

Attorney: N/A

State: Ms. Ann Roberts

Officer: **Fl Gi**

Charge: **ARS 13-1802 A 1, Theft M-1**

Occurred: |

☒ Called to order

☒ Group welcome, instructions and advisement of the order of the proceedings

☒ Called case

☒ Exhibits marked

☒ Legal counsel advisement to the Defendant

☒ Ready to Proceed

☐ Exclusion of Witnesses

☒ Read the Complaint

☐ State opening statement

☐ Defense opening statement

### STATE

☒ Swearing in of State witness

☒ State direct

☒ Officer testimony

☒ Date ☒ Time ☒ Location  
☒ Identity ☒ Jurisdiction

☒ Defense cross

Witness 1

Witness 2

Witness 3

☒

☒

\_\_\_\_\_

☒

☒

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# 41  
2-3

☒ State re-direct

\_\_\_\_\_

☒ Judges **questions** of witness

\_\_\_\_\_

☒ Exhibits admitted into record.

☐ Objections to exhibits by the Defense

☒ State rests

## DEFENSE

*Defendant chose not to testify*

☐ Present opening statement (If it was reserved)

☐ Swearing in of Defendant (If going to testify)

☐ Defendant testifies

☐ State cross

☐ Defendant rebuttal testimony

☐ Judges **questions** of Defendant

## Witness Testimony

Witness 1

Witness 2

Witness 3

☐ Swearing in of Defense witness

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Defense examination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ State cross-examination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Defense re-examination

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Judges **questions** of witness

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Exhibits admitted into record

☐ Objections to exhibits by the State

☐ Defense rests

# 4I  
3-3

## **CLOSING ARGUMENTS**

- ☒ State closing
- ☐ Defense closing
- ☐ State final argument

## **JUDGEMENT/VERDICT**

- ☒ Restate guilty beyond reasonable doubt
- ☒ Summarize each parties evidence
- ☒ Read the statute. Note the relevant elements of the violations
- ☒ Important: Explain why or why not the elements have been met.

## **SENTENCING**

- ☒ FINE (Maximum amount)
- ☐ PROBATION (If a drug charge or paraphernalia)
- ☐ SCREENING/COUNSELING (if DUI, drugs or domestic violence)

☒ JAIL

☒ APPEAL

☒ SETTING ASIDE JUDGMENT

Exhibit # 45  
1-2

BENSON JUSTICE COURT # 3 - 126 W. 5<sup>th</sup> ST., BENSON, ARIZONA 85602 - 520-586-8100

ST OF AZ vs <u>Mc</u> <u>C</u> Plaintiff Defendant	CASE NO. <u>CR 20160060</u>	JUDGMENT OF GUILT AND SENTENCE ORDER
--	--------------------------------	--

☒ Defendant's True Name Mc C DOB: 1/1/16

☐ Name of Defendant's Counsel: \_\_\_\_\_

☒ The Defendant knowingly, voluntarily and intelligently waived the right to counsel after having been fully apprised of his/her right to counsel.

On this date the Defendant was convicted of the following:

Name of Offense: Theft Statute: 13-1802 A1, class 1  
The conviction was obtained by:

☐ Guilty Plea to the Court ☐ No Contest Plea to the Court ☒ Trial to Court ☐ A Jury Trial

☒ The defendant knowingly, voluntarily and intelligently waived his/her right to a trial, with or without a jury, the right to cross examine witnesses, the right to testify or remain silent, and the right to present evidence and call his/her own witnesses after having fully been advised of these rights.

IT IS ORDERED that the defendant is sentenced as follows:

☒ Pay restitution \$ 20.00

☒ Pay a fine/sanction of \$ 4,575

☒ Pay Justice Court Security Fee \$36.60

☐ Pay court appointed attorney fees of \$200.00

☐ Pay incarceration costs of \$259.00 for 1<sup>st</sup> day and \$76.00 for each additional day

☒ Pay time payment fee \$40.00

☐ \$ \_\_\_\_\_ of fine/sanction is suspended based on the following condition(s):

☐ Satisfactorily complete counseling ☐ Comply with conditions of probation;

☐ Other: \_\_\_\_\_

Defendant to pay balance of \$ 4671.60 by \_\_\_\_\_

Unsupervised Probation \_\_\_\_\_ ☐ month(s) \_\_\_\_\_ year(s)

☐ Jail Time \_\_\_\_\_ hours \_\_\_\_\_ days \_\_\_\_\_ days credit for time served; \_\_\_\_\_ days suspended

☒ Other: Jail time for 6 months. Release date: 12/11/16.

DONE IN OPEN COURT ON:

Date 1/1/16

Justice of the Peace [Signature]

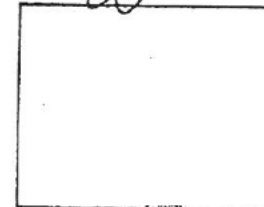
Fingerprint Pursuant to ARS 13-607A.

Defendant Print is Mandatory for DUI, Theft and Shoplifting.

I certify that at the time of sentencing and in open court the defendant's right index fingerprint was permanently affixed to the document or order.

Judge/Clerk \_\_\_\_\_

Date 1/1/16



Right Index Finger Print

Page 1 of 1

#45  
2-2

BENSON JUSTICE COURT # 3 - 126 W. 5<sup>th</sup> ST., BENSON, ARIZONA 85602 - 520-586-8100

JUDGMENT OF GUILT AND SENTENCE ORDER

State of AZ vs M C Case No. CR20160060

On this date the Defendant was convicted of the following:

Name of Offense: Failure to appear Statute: 13-2506A, class 1

The conviction was obtained by:

☐ Guilty Plea to the Court ☐ No Contest Plea to the Court ☒ Trial to Court ☐ A Jury Trial

☒ The defendant knowingly, voluntarily and intelligently waived his/her right to a trial, with or without a jury, the right to cross examine witnesses, the right to testify or remain silent, and the right to present evidence and call his/her own witnesses after having fully been advised of these rights.

IT IS ORDERED that the defendant is sentenced as follows:

☐ Pay restitution \$

☒ Pay a fine/sanction of \$ 667

☒ Pay Justice Court Security Fee \$36.60

☐ Pay court appointed attorney fees of \$200.00

☐ Pay incarceration costs of \$318.00 for 1<sup>st</sup> day and \$62.00 for each additional day

☐ Pay time payment fee \$40.00

☐ \$ of fine/sanction is suspended based on the following condition(s):

☐ Satisfactorily complete counseling ☐ Comply with conditions of probation;

☐ Other:

Defendant to pay balance of \$ 5338.60

☐ Unsupervised Probation ☐ month(s) ☐ year(s)

☐ Jail Time ☐ hours ☐ days ☐ days credit for time served; ☐ days suspended

☐ Other:

DONE IN OPEN COURT ON:

Date

Justice of the Peace

On this date the Defendant was convicted of the following:

Name of Offense: Statute: , class

The conviction was obtained by:

☐ Guilty Plea to the Court ☐ No Contest Plea to the Court ☐ Trial to Court ☐ A Jury Trial

☐ The defendant knowingly, voluntarily and intelligently waived his/her right to a trial, with or without a jury, the right to cross examine witnesses, the right to testify or remain silent, and the right to present evidence and call his/her own witnesses after having fully been advised of these rights.

IT IS ORDERED that the defendant is sentenced as follows:

☐ Pay restitution \$

☐ Pay a fine/sanction of \$

☐ Pay Justice Court Security Fee \$36.60

☐ Pay court appointed attorney fees of \$200.00

☐ Pay incarceration costs of \$318.00 for 1<sup>st</sup> day and \$62.00 for each additional day

☐ Pay time payment fee \$40.00

☐ \$ of fine/sanction is suspended based on the following condition(s):

☐ Satisfactorily complete counseling ☐ Comply with conditions of probation;

☐ Other:

Defendant to pay balance of \$ by

☐ Unsupervised Probation ☐ month(s) ☐ year(s)

☐ Jail Time ☐ hours ☐ days ☐ days credit for time served; ☐ days suspended

☐ Other:

DONE IN OPEN COURT ON:

Date

Justice of the Peace

Exhibit # 4 K

# COCHISE COUNTY JUDICIAL FINES ENFORCEMENT PROGRAM

[ ] SUPERIOR COURT OF ARIZONA ☒ JUSTICE COURT PRECINCT 3 [ ] MUNICIPAL COURT CITY OF \_\_\_\_\_

STATE OF ARIZONA PLAINTIFF	CASE NO.	PAYMENT ORDER
vs <u>M</u> <u>C</u>	<u>CR20160060</u>	
DEFENDANT		

It appearing to the Court the above named defendant is unable to pay the following monetary assessment(s) imposed by this court on the above entitled matter(s);

It is therefore, ORDERED the defendant is referred to a COCHISE COUNTY JUDICIAL FINES ENFORCEMENT PROGRAM representative to make arrangements to pay said assessment according to a payment plan requiring regularly scheduled payments. If a payment plan is agreed upon, it shall be set forth herein below, shall be initialed by the court as approved, and thereafter shall be deemed a part of tis order.

It is further ORDERED if Defendant fails to enter into a satisfactory signed agreement to pay said assessment(s), the total assessment shall be paid in full or as ordered by the Court.

Payments shall be made to the Court, or as directed by a representative of said program.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Judge's Signature & Seal

## AGREEMENT TO PAY COURT ORDERED ASSESSMENT(S)

I, the defendant in the above captioned case, hereby promise to pay the total of the monetary assessment(s) set forth in this court order.

RESTITUTION \$ 20.00 FEES \$ 76.60 FINES \$ 5242.00 TOTAL \$ 5338.60

\$ 5338.60 DUE BY \_\_\_\_\_

Payments shall be paid to:

BENSON JUSTICE COURT  
126 W. 5th Street, Suite 1  
BENSON, AZ 85602  
(520) 586-8100

\$ 0-300 DUE WITHIN 3 MONTHS \_\_\_\_\_

\$ 300 + DUE WITHIN 6 MONTHS \_\_\_\_\_

Other: Min. monthly payment  
is required

DEFENDANT TO READ AND INITIAL (write N/A in areas not applicable to defendant):

\_\_\_\_\_ I understand failure to pay an installment by the due date will make the entire balance due and payable without further notice and may result in the following:

- issuance of a warrant for my arrest
- garnishment of my wages and / or tax refund
- referral of my case to FARE - collection agency
- additional collection fees added
- MVD hold on vehicle registration
- suspension of my driver's license
- notification to credit bureau of my failure to pay
- notification to my Commanding Officer (military)

\_\_\_\_\_ I agree to report any changes of address, telephone number, or employment to the Court within five (5) days of such change.

DATE: \_\_\_\_\_

Defendant's Signature

Approved by Court

FULL NAME _____	DATE OF BIRTH _____
SOC. SEC. NO. _____	DRIVER'S LICENSE NO. AND STATE ISSUING _____
MAILING ADDRESS _____	CITY _____ STATE _____ ZIP _____
HOME ADDRESS _____	CITY _____ STATE _____ ZIP _____
PHONE NO. ( ) _____	DAYTIME OR MESSAGE PHONE ( ) _____
NAME, ADDRESS AND PHONE NUMBER OF NEAREST RELATIVE _____	

White - Court Yellow - Defendant

**COCHISE COUNTY JUSTICE COURT PRECINCT 3**

126 WEST 5th STREET., SUITE #1, BENSON, ARIZONA 85602 • (520) 586-8100

STATE OF ARIZONA,  VS <u>M. C.</u>  Plaintiff,  Defendant.	CASE NO.  <u>CR2960060</u>	<b>ORDER OF COMMITMENT</b>
Charge (s): <u>13-1862A1 - theft.</u> <u>13-2506A - Failure to appear</u>	County Booking No. _____	

To the Sheriff of this County:

IT IS ORDERED that Defendant be confined in the County Jail for a period of 180 days or until further order of the Court. These days [ ☐ are - ☒ are not ] being imposed as a term and condition of probation.

IT IS FURTHER ORDERED that Defendant report to the County Jail

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

to serve this sentence.

**Special Conditions:**

Defendant to serve 180 days for case  
release date. 11

DATED 7-7-11

X

Judge W

I understand the terms of the above sentence and agree to appear at the time(s) indicated in a sober condition. I also understand that I must provide my own transportation.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Defendant☐ Defendant did appear as ordered.

☐ Defendant did not appear as ordered. I contacted \_\_\_\_\_ at \_\_\_\_\_  
Phone \_\_\_\_\_ with this information (Name)

DATED: \_\_\_\_\_

\_\_\_\_\_  
Sheriff's Department

**LAW OFFICES OF THE  
COCHISE COUNTY PUBLIC DEFENDER  
P.O. BOX 1856  
BISBEE, AZ 85603  
State Bar Record # 00000500  
Tel.: (520) 432-8440  
Fax: (520) 432-8478  
Email: [pdmco@cochise.az.gov](mailto:pdmco@cochise.az.gov)**

Mark A. Suagee  
Public Defender  
Attorney for Defendant

**RECEIVED**

**BENSON JP #3**

IN THE JUSTICE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE  
Justice Court #3

**STATE OF ARIZONA,**  
  
**Plaintiff,**

vs.

**M. C.**  
  
**Defendant.**

No. CR20160060

**MOTION TO VACATE JUDGMENT;  
MOTION TO SCHEDULE HEARING;  
MOTION TO REFER TO IDC FOR  
APPOINTMENT OF COUNSEL**

(Hon. Bruce Staggs)  
(Oral Argument Requested)  
(Estimated time: Thirty minutes)

The Defendant, M. C., by and through undersigned counsel, hereby moves this Court to vacate judgment herein pursuant to Rule 24.1, Arizona Rules of Criminal Procedure. Counsel also moves to have this matter referred to IDC for the appointment of counsel. Lastly, counsel moves this Court to schedule a hearing date on this motion so the issues might be heard expeditiously.

These issues are discussed more fully in the attached Memorandum of Points and Authorities which follows.

### MEMORANDUM OF POINTS AND AUTHORITIES

A review of the court documents, and the booking record at the Cochise County Jail, reflect that this defendant went to trial, on a charge of theft, in the absence of counsel. Further the record reflects that upon the finding of guilt the defendant was sentenced to a jail term of 180 days, or six months, the maximum sentence for the offense. This proceeding, including the sentence of the defendant to custody, violates the U.S. Constitution and Constitution of the State of Arizona and this is subject to this Motion to Vacate Judgment. Rule 24.2 (a) (3), Arizona Rules of Criminal Procedure.

In *Gideon v. Wainwright*, 83 S.Ct. 792, 372 U.S. 335, 9 L. Ed. 2d 799 (1963), the United States Supreme Court held that, "the assistance of counsel is one of the safeguards of the Sixth Amendment deemed necessary to insure fundamental human rights of life and liberty..", and that "the right to the aid of counsel is of this fundamental character," citing *Powell v. Alabama*, 287 U.S. 45, 68, 53 S. Ct. 55, 63, 77 L. Ed. 158 (1932). Since *Argersinger v. Hamlin*, 407 U.S. 25, 92 S. Ct. 2006, 32 L. Ed. 2d 530 (1972), it has been the law that counsel must be appointed for an indigent misdemeanor defendant before loss of liberty results. *Campa v. Fleming*, 134 Ariz. 330, 656 P. 2d 619 (App. 1982). Rule 6.1 (a), which guarantees the right to counsel in "any criminal proceeding," excepts petty offenses, but only where there is no prospect of confinement after a judgment of guilty.

When this defendant was sentenced to a six month jail sentence the sentence, thus, violated the United States Constitution, and as counsel has been deemed a fundamental right of the accused, the Constitution of the State of Arizona. The judgment should be vacated and set aside.



RESPECTFULLY SUBMITTED this   7   day of .

MARK A. SUAGEE  
COCHISE COUNTY PUBLIC DEFENDER

By\_

Copy of the foregoing delivered this   24   day of July, 2016 to:

Hon. Bruce Staggs  
Justice of the Peace  
126 W. 5<sup>th</sup> Street  
Benson, AZ 85602

Ann Roberts  
Special Criminal Deputy  
Battaglia and Roberts  
P.O. Box 2315  
Benson, AZ 85602

Amy Hunley  
IDC  
Bisbee, AZ 85603

Client

Exhibit # 4M

RECEIVED

LAW OFFICES OF THE  
COCHISE COUNTY PUBLIC DEFENDER  
P.O. BOX 1856  
BISBEE, AZ 85603  
State Bar Record No. 00000500  
Tel.: (520) 432-8440  
Fax: (520) 432-8478  
Email: [pdmeo@cochise.az.gov](mailto:pdmeo@cochise.az.gov)

BENSON JP #3

Mark A. Suagee  
Public Defender  
Attorney for Defendant

IN THE JUSTICE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE  
Justice Court #3

STATE OF ARIZONA,  
Plaintiff,

vs.

M. C. ,  
Defendant.

No. CR20160060

ORDER

(Hon. Bruce Staggs)

Pursuant to the motions filed by the defendant, through counsel, and good cause appearing;

IT IS ORDERED that this matter shall be set for hearing on the issues raised in the motion before this Court on the \_\_\_ day of. at \_\_\_ o'clock, \_\_m.;

IT IS FURTHER ORDERED that this matter shall be and is hereby referred to the Indigent Defense Coordinator for the appointment of counsel, and the Court notes the Public Defender should be appointed.

DATED this \_\_\_\_\_ day of July, 2016.

\_\_\_\_\_  
JUSTICE OF THE PEACE

Judge Bruce E. Staggs  
Justice of the Peace  
Benson Justice Court #3  
(520) 586-8100  
Fax: (520) 586-8117



Exhibit 4N  
126 W. 5<sup>th</sup> Street  
Suite #1  
Benson, AZ 85602  
BensonJusticeCourt  
@courts.az.gov

<b><u>State Of Arizona</u></b> Plaintiff  VS  <b><u>M:</u></b> <b><u>C:</u></b> Defendant	<b>CASE NUMBER:</b>  <b>CR 2016 0060</b>	<b>MINUTE ENTRY &amp; ORDER</b>
---	--	---

This Court is in receipt of a motion from Mark A. Suagee, Public Defender as follows:

1. "Motion To Vacate Judgment"
2. "Motion To Schedule Hearing"
3. "Motion To Refer To IDC For Appointment Of Counsel"

Mr. Suagee is alleging that the Defendant's rights under the U.S. Constitution and the Constitution of the State of Arizona have been violated because Defendant was not represented by counsel.

Defendant was cited on \_\_\_\_\_ for violation of ARS-1802 A1, Theft. Defendant was Arraigned on \_\_\_\_\_ where the following occurred:

1. Constitutional rights were read and explained to the Defendant
2. Immigration warning read to the Defendant
3. ARS-1802 A1, Theft was read and explained to the Defendant
4. The Defendant was informed of the maximum fine, jail time and probation time for ARS-1802 A1, Theft
5. Prior to the Defendant entering a plea the Defendant verbally waived counsel. Defendant then signed a Waiver of Counsel, which is attached
6. Following verbally waiving counsel the Defendant entered a plea of not guilty
7. A Pre-trial Conference hearing was set for on \_\_\_\_\_

Pre-trial Conference occurred on /\_\_\_\_\_. Due to the multiple times that the Defendant has presented to this Court the Prosecutor did not offer a Plea Agreement. This case was set for trial on \_\_\_\_\_.

Defendant failed to appear for trial. Instead of trying Defendant in absentia, a Failure To Appear arrest warrant was issued. Law enforcement immediately arrested Defendant and brought Defendant to the Benson Justice Court for the scheduled trial.

Prior to calling the case, it is on the record, that the Defendant was advised of the following:

1. The right to be represented by an attorney
2. Attorney could assist the Defendant with the Rules of Evidence

3. Attorney could assist the Defendant with Rules of Criminal Procedure
4. Attorney could assist the Defendant with the questioning the State's witnesses
5. Attorney could assist the Defendant challenging the State's evidence
6. Attorney could assist the Defendant with presenting the Defendants evidence

The Defendant was questioned if anyone had forced, threatened, or made the Defendant appear without an attorney. It was ruled by the Court that Defendant's waiver of counsel was voluntarily, intelligently and knowingly made and not the result of force, threats or promises. Defendant was advised that by appearing at the trial, without an attorney, Defendant was waiving his right to an attorney.

The scheduled trial was held and the Defendant was found guilty of violation of both ARS-1802 A1, Theft and ARS 13-2506 A, Failure To Appear.

Just prior to sentencing this Court took Judicial Notice that said Defendant had appeared multiple times in the Benson Justice Court. Exploring the Public Record reveals the Defendant has had 7 civil traffic cases where a finding of responsible has been entered and 13 criminal cases where a finding of guilty has been entered. The Defendant has had 2 misdemeanors, drug paraphernalia and disorderly conduct/domestic violence dismissed, and one felony for possession of dangerous drug dismissed due to no complaint being issued. The Defendant was recently cited, once again, for ARS 13-3415 A, Possession of Drug Paraphernalia. A Pre-trial Conference hearing is set for August 4, 2016.

On June 14, 2016 Defendant was sentenced to \$4,575.00 fine, \$76.60 in court fees, \$20.00 in restitution, 6 months in jail and 3 years of probation for violation of ARS-1802 A1, Theft. Defendant was sentenced to a \$667.00 fine for violation of ARS 13-2506 A, Failure To Appear.


Following the trial this Court noted the Defendant had not been arraigned on ARS 13-2506 A, Failure To Appear charge. The conviction was immediately set aside and dismissed on June 14, 2016.

The audio record clearly reflects that the Defendant was appraised of his right to an attorney, as required by law, not only at the Arraignment, but prior to the Defendants Trial. The Defendant clearly waived his rights thus the Defendants rights, as afforded in U.S. Constitution and the Constitution of the State of Arizona, were not violated as alleged by Mr. Suagee.

It is hereby ordered "Motion To Vacate Judgment" is denied.

It is hereby ordered "Motion To Schedule Hearing" is denied.

It is hereby ordered "Motion To Refer To IDC For Appointment Of Counsel" is denied.

Judge, Bruce E. Staggs   
Benson Justice of the Peace #3

\_\_\_\_\_  
Date



BRUCE E. STAGGS  
JUSTICE OF THE PEACE  
PRECINCT NO. THREE  
126 W. 5<sup>th</sup> ST., STE NO. ONE  
BENSON, AZ 85602  
(520)586-8100  
FAX: 520-586-8117

Exhibit # 40

### JUSTICE COURT #3

IN THE JUSTICE COURT PRECINCT NO. THREE

IN AND FOR THE COUNTY OF COCHISE

STATE OF ARIZONA

**RELEASE ORDER**

VS

CASE NO. CR20160060

M C  
DOB Defendant

**IT IS ORDERED** that the Defendant be released from custody of the Cochise County

Jail on the above cited cases only, defendant is given credit for time served.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

Justice of the Peace  
Justice of the Peace, Precinct #3



Exhibit  
#  
5A





Exhibit  
#  
5B

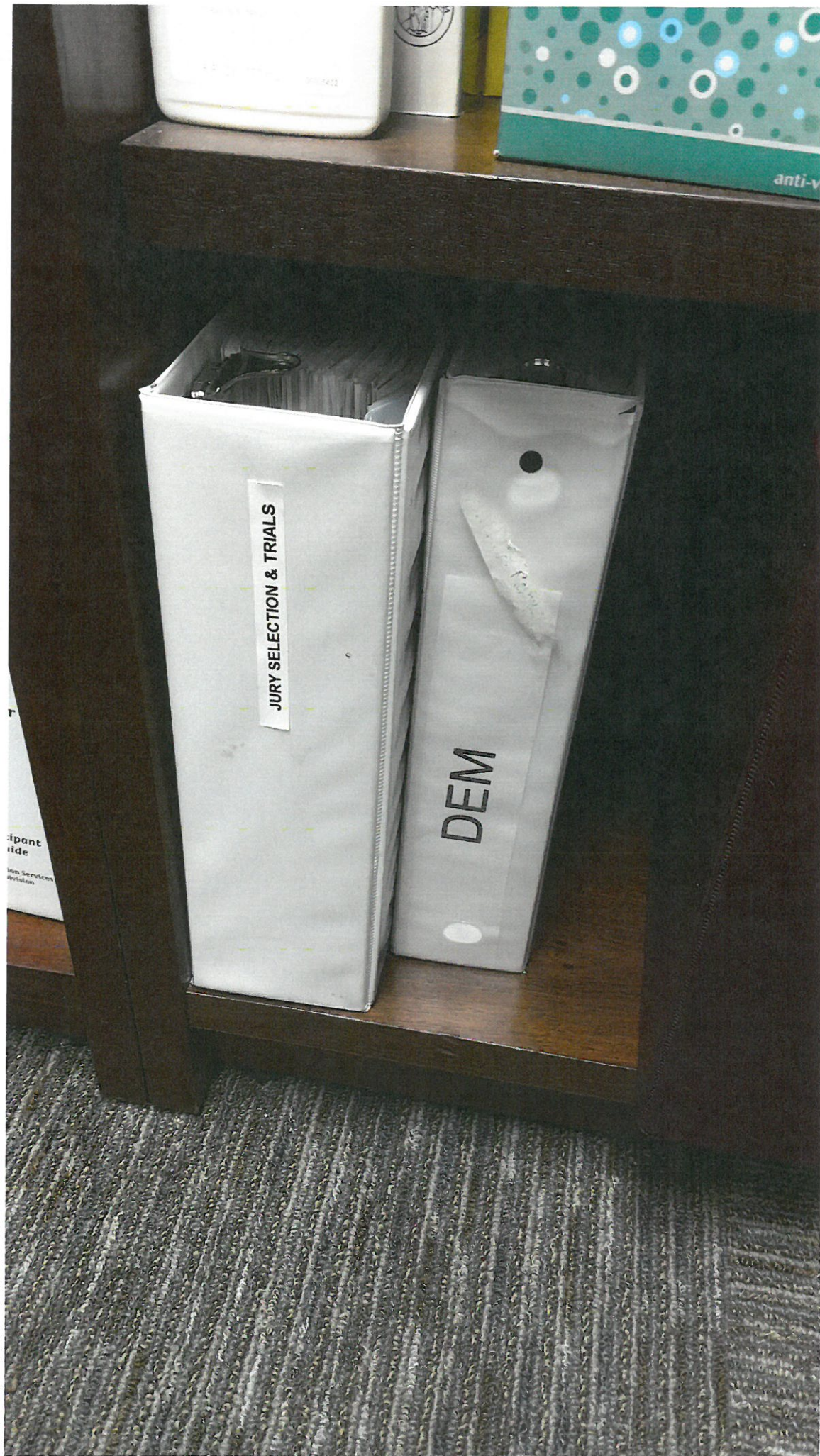




Exhibit  
#  
5C

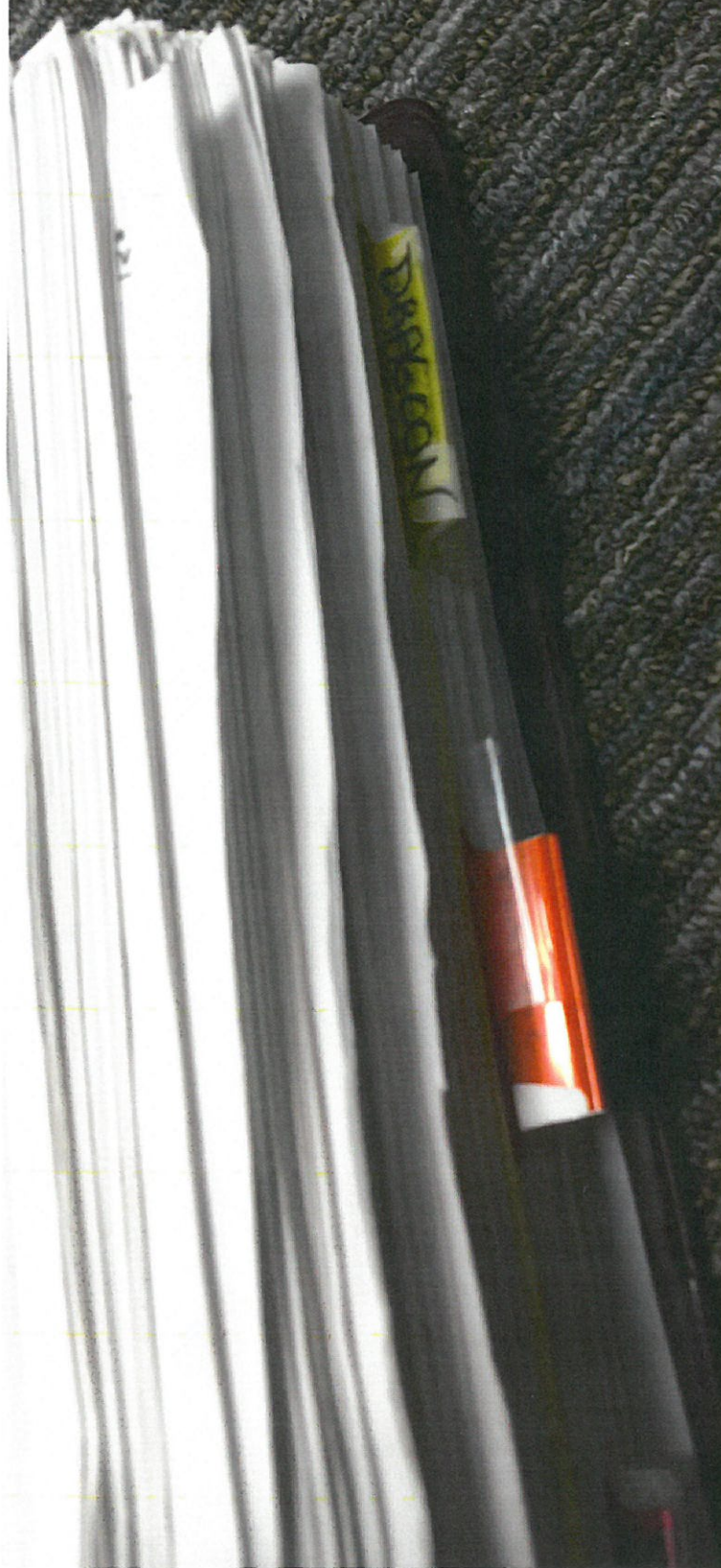




Exhibit  
#  
6A

District: JP 3

### Registrant List

Name Residence Address	Mall Address	Registration Date Phone	Birth Year
---------------------------	--------------	----------------------------	---------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
------------	------------	------------	------------

Exhibit  
#  
6B

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

call for sign  
put up sign

Exhibit # 6C

District: JP 3

# Registrant List

03/04/2014

10:29:22AM

Name

Residence Address

Mail Address

Registration Date  
Phone

Birth  
Year

Status  
Party Perm EV



Handwritten bracket and mark

District: JP 3

Exhibit # 7A

# Registrant List w Voting History

09/11/2014

4:08:21PM

Status

Party Perm EV

Name

Residence Address

ID Number

Mailing Address

Registration Date

Phone

Birth

Year

PE



62

Exhibit # 7B

10:29:22AM

Party	Status
Perm EV	

**Residence Address**

**Registration Date**  
**Phone**

Birth  
Year

Party	Status
Perm EV	

1055



17



✱

Signed

Exhibit  
#  
8





Exhibit  
#  
9A

24 August 2018

Endorsements 2018

Business Endorsements

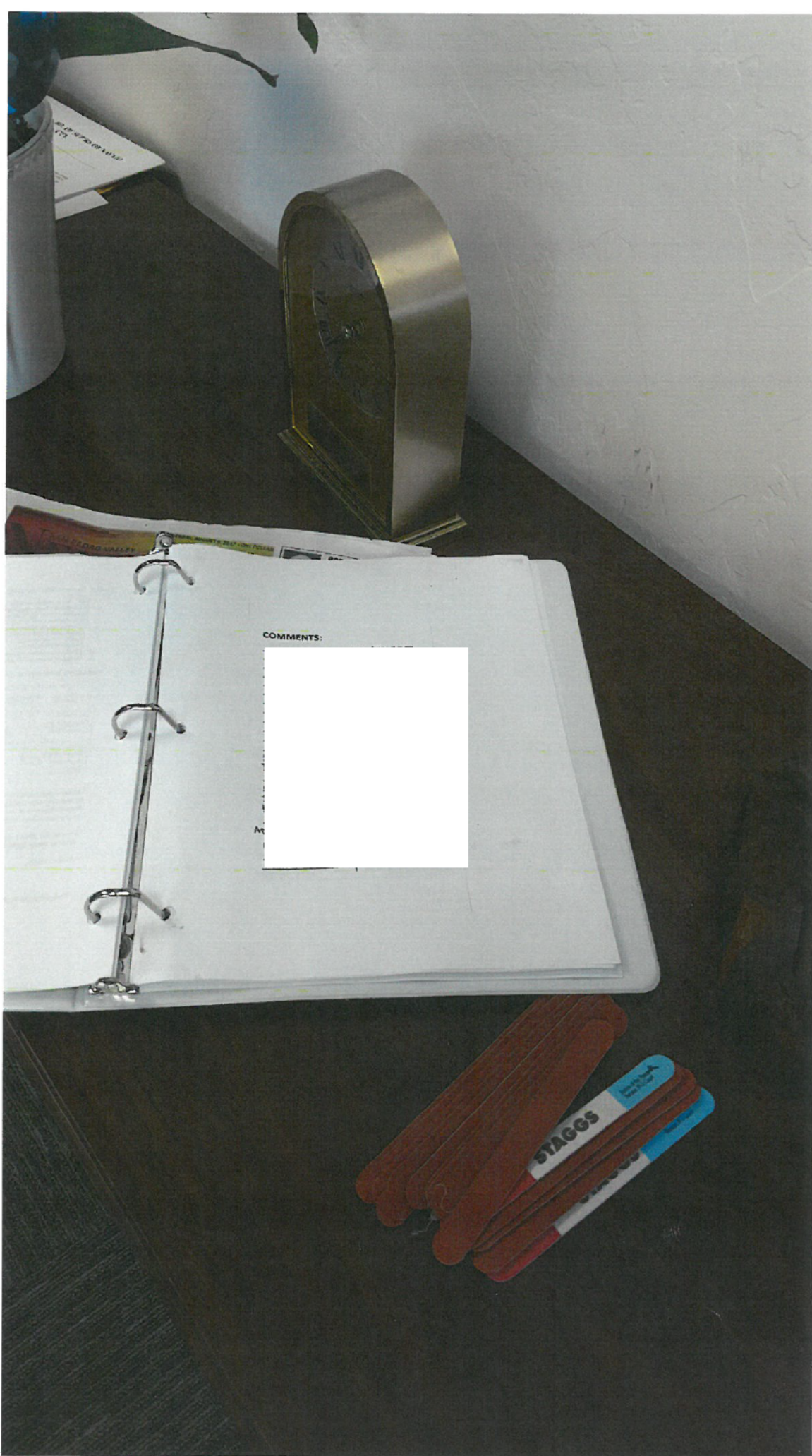
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

Personal Endorsements

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30



Exhibit  
#  
9B





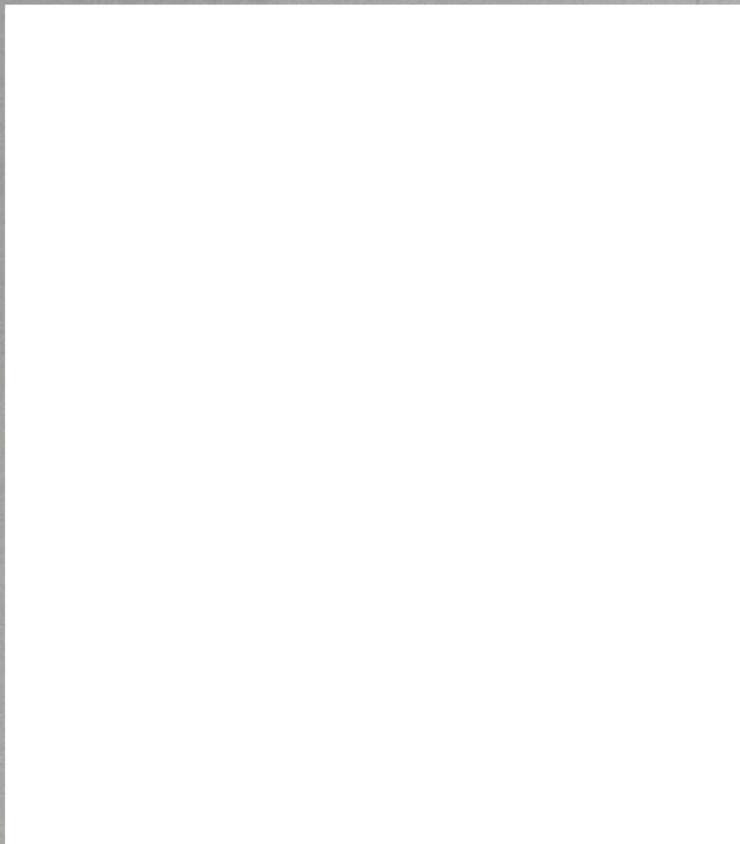
AUGUST 9, 2017 - ONE DOLLAR



625

Exhibit  
#  
9C

**COMMENTS:**



JUSTICE COURT NO. THREE, 0203, 520-586-8100  
126 WEST 5TH ST., SUITE NO. 1, BENSON, AZ 85602

DATE: 01-29-2018  
TIME: 13:38:38 CHECK: CASH: CREDIT: CHANGE:  
RECEIPT #: J 000108099 \$0.00 \$30.50 \$0.00 \$0.00  
RECEIVED OF: SARA HERMAN MEMO: PAID COPY & RESEARCH FEE  
BY CLERK: D.N.

CASE NUMBER	EVENT/SERVICE	AMOUNT
J -0203 -CR -0020160060	5964 PYMT: RESEARCH/LOCATE DOC	\$26.00
ST OF AZ VS C	M'	
PARTY: CF	MF	
J -0203 -CR -0020160060	5942 PYMT: COPIES PER PAGE	\$4.50
ST OF AZ VS C	MF	
PARTY: CF	MF	
TOTAL RECEIPT...		\$30.50

RESP

2018-077

May 10, 2018

MAY 21 2018

Commission On Judicial Conduct  
1501 West Washington St., Suite 229  
Phoenix, AZ 85007

Re: Case # 18-077

Dear members of the Commission,

I wish to thank the Commission for giving me this opportunity to respond and defend myself against allegations by Ms. Sara Herman.

As instructed I have reviewed the allegations and am filing my written response within an explanation of what I feel happened in this case.

The complainant is a former employee that was hired at Benson Justice Court #3 on [redacted], 2015 and submitted her resignation papers which were effective on [redacted], 2017. Ms. Herman had the duties of Criminal Clerk.

On page 1 of the Complaint, the order of Ms. Herman's allegations are:

1. I do not conduct myself in an independent, fair or impartial manner
2. I am rude, sarcastic and vindictive
3. I make sexist, racial and derogatory comments to my staff
4. My lack of management is concerning because I rarely accept responsibility
5. My conduct has been in question even before first taking office
6. Numerous complaints have been reported to Human Resources and Court Administration
7. I am swayed by partisan interests
8. I bully some litigants and office staff by not being patient, dignified or courteous
9. I routinely utilize court staff, facilities and other court resources for my campaign to be re-elected

The majority of these allegations are not substantiated in any way nor are they backed up with any facts or evidence whatsoever in the Complaint. I believe **ALL** of these allegations are politically motivated in nature. I will address this political motivation in detail, after I give my response to allegations #1, 7, 8 and 9, which are the only allegations that Ms. Herman has submitted information on.

**In response to the allegations #'s 1, 7 and 9 above I give the following:**

On page 1, paragraph 1, of the Complaint, Ms. Herman alleges that I do not conduct myself in an *"independent, fair or impartial manner"* and has presented photographs of two binders present on the bottom shelf of my bookcase labeled Exhibit 5A, 5B. Exhibit 5A is a binder containing the "Walking List" of the registered Republican voters of Justice Precinct #3. Exhibit 5B is a binder containing the "Walking List" of the registered Democrat voters in Justice Precinct #3. Exhibit 5C is the Republican binder removed from the shelf and laid on

the carpet to take its picture. Exhibit 6A is a picture of page 30, taken from the inside of the Republican binder. Exhibit 6B is a picture of page 521 taken from the inside of the Republican binder. Exhibits 6C, 7A and 7B are pages that were removed from the binders to have their pictures taken. Exhibits 6C and 7B are pages 259 and 19 respectively of the Republican binder. Exhibit 7A is page 12 from the Democrat binder. Both of these are my binders.

Exhibit #8 is a picture of a clipboard with a 2018 petition in it, that has 3 signatures on it, while laying on my desk. This is my clipboard and petition.

Exhibit 9A is a picture of an Endorsement binder that is open and I believe is lying on my desk. This contains endorsements from businesses and persons. This is my binder.

Exhibit 9B is a picture of Comment binder that has been opened and is on my credenza. Beside it are nail files. This Comment binder is a binder that I created. The nail files are mine.

Exhibit 9C is a picture of a very positive comment from a defendant, [REDACTED], Case [REDACTED], from the Exhibit 9B binder.

The privacy of my private chambers was violated to obtain pictures of these Exhibits.

To explain these Exhibits I respond with the following:

I've been told repetitively that I was elected because of the sincere dedication and hard work ethic that I displayed by knocking on doors during the 2010 in 2014 elections. In 2010, I knocked on doors from 9:00 AM until dark, each and every day except Sundays, from March until the Primary election. In 2014, I knocked on doors from 9:00 AM until dark, each and every day except Sundays, from March until the General election. My records document that I have personally visited almost every single Republican and Democrat permanent early voter, and also the constituents that consistently vote, in the JP 3 district. When I first sat the bench, when cases were presented to me, many times I recognized the name as I had met the defendant while going door-to-door. When I would make mention of this to my then Court Manager, [REDACTED], I was instructed I would have to recuse myself. I discussed these recusal issues with the JP 4 Judge, who also lives in a very small community. He informed me that if he recused himself for every defendant he knew, he would have to recuse himself on the majority of his cases. He also informed me, that just because I had met them on the campaign trail, it wasn't necessary to automatically recuse myself. He feels that if a judge could honestly and impartially preside over a hearing with a defendant, that one has previously met while campaigning, that this would not violate any ethics or Judicial Canons. I believe the very same way. Following multiple repeated discussions, I brought these binders into the court for the **sole** purpose of reviewing my notes of my interactions with a defendant while on the doors, with my Court Manager.

Reviewing these records was **NEVER, EVER** used for the purpose of partisan interests nor for any pre-determination of my rulings. If this was truly happening, why did my Court Manager not report this immediately after these binders were brought into the court? Why did Ms. Herman not report this immediately? Worse, why

did Ms. Herman wait 9 months after she left to report this? This is a totally false accusation which is very offensive in its nature.

On page 3, paragraph 3 of the Complaint, Ms. Herman alleges "*Judge Staggs refers to these books before trials and cross references them with the County Attorneys Supplemental Rule 15 Disclosure Notice. It is Judge Staggs policy that the Rule 15 Disclosure Notice be filed with court at least one day in advance so that he has time to prepare his trial form and cross reference Defendants and victims with his voter registration binder*". This is a totally false accusation.

I have a policy that all my cases for the next day, must be on my desk by 12 o'clock the preceding day, so I can prepare for them. I take the time to study out each case before trial and I prepare my own checklist and Judgment forms. Ms. Herman has presented the checklist form I prepared for this trial as Exhibit 4I, 1-3. On page 1 of the Exhibit, the witness names of [redacted] G [redacted] and A [redacted] P [redacted] were hand written in by me during the trial. Since then, I have developed a more streamlined checklist form for which I type in the information when preparing for the trial. I have this policy so 1) I have one less distraction of writing down witness names during the trial and 2) to know if I have to have my laptop prepared for any evidence. For security the Cochise County has given me a stand-alone laptop and all evidence must be played through it so there is no chance of getting a virus. I noted the Rule 15 Disclosure Notice, as I always do, on Exhibit 2, Track 2, 5:27. I'm attaching an example of the current master checklist form I fill out prior to trial as **Exhibit #D-A** as proof.

Every document that is stamped into the court is required to be scanned into AZTEC. Review of AZTEC does not show any Rule 15 Disclosure Notice for this case nor does a review of the case file show any Rule 15 Disclosure Notice yet, Ms. Herman has submitted one as Exhibit 4D.

I have **never** used the Rule 15 Disclosure Notice to cross-reference either the defendants, victims or witnesses names.

I've done a AZTEC search on all the 45 printed names on Exhibits 6A, 6B 6C, 7A & 7B. There are only 4 of these people that I have had been associated with on the campaign trial, that have had cases in Benson Justice Court #3, since I have been sitting the bench. I have had contact with only 2 of them, Mr. [redacted] and Ms. A [redacted] P [redacted].

1. Mr. [redacted], case [redacted], was charged with ARS 28-4135 A, Failure To Produce Evidence of Financial Responsibility. Records show that Mr. [redacted] obtained a 36-month driving history and showed proof of new insurance to the Clerks. Doing research for this Complaint I discovered a Clerk dismissed this citation instead of, per written policy, charging Mr. [redacted] the reduced \$175.00 fine plus fees. The Clerk has been verbally warned and has been re-trained.
2. Mr. [redacted] had an Order of Protection issued against him, case [redacted]. He later came in and requested an Order of Protection against the plaintiff, which was granted.
3. Mr. [redacted]; case # [redacted] was charged with ARS 28-702.04 B. Mr. [redacted] entered a plea of responsible to the Clerks and took Defensive Driving School.
4. Ms. A [redacted] P [redacted] was the victim in case number CR 2016 0060 that this Complaint also cites.

Why these pages were chosen to copy, I have no explanation.

Exhibit 8 is one of my petitions on my desk with three signatures on it. I have **NEVER** presented a petition to one of my court Clerks to sign, either in or outside, of the courtroom. One Clerk did sign my petition, however, it was before she was employed and she is no longer employed at Benson Justice Court #3. In fact within the last month, off the court property, one of my Clerks offered to sign my petition. I did not allow her to sign, just in case I didn't win the election and the potential of a future judge finding out about it, as it is public record. Proof of this is attached as **Exhibit #D-B** as proof. I want the Commission members to know that by July 4, 2017, I had already collected the minimum number of 60 signatures I needed to get on the ballot. Proof of this is attached as **Exhibit #'s D-C1, D-C2, D-C3, D-C4, D-C5, D-C6 & D-C7** as proof.

During August 2017, I was actively seeking endorsements and signatures from local businesses within walking distance of the court at lunchtime. I would come and go through the front door instead of going out to the rear gated parking lot where my truck was parked due to it being difficult to exit without a vehicle. There is a key pad on the outside of the secure lot but not one on the inside. To get out of the secure lot, without it sensing a vehicle to automatically open, you have to lift a heavy steel cover and manually push a button. I had the clipboard and petitions along with the Endorsement binder in my chambers solely for convenience and not for conducting **ANY** political activity. In the previous two elections I turned in the maximum number of signatures and I plan on doing so again this year. I do not need to risk violating the Judicial Code of Conduct to get an additional six signatures from my court staff especially when they weren't needed. It would be ludicrous for a Judge to request the signatures of their own staff members, and even more ludicrous to get them within the confines of the Court.

Exhibit 9B is a very positive comment from a defendant, \_\_\_\_\_, Case \_\_\_\_\_ See attached **Exhibit #D-D** as proof. Since I have installed the comment box the staff and I have received 79 positive comments while only receiving 3 negative comments, none of which were specifically directed towards me as a Judge. It was my intention to not only show these comments to people while on the campaign trail but to also put these comments out in the lobby for people to read. I made up a binder with the comments for these 2 purposes. I ran this intention by the former executive Director of the Commission on Judicial Conduct, Mr. George Riemer in October 2017. Mr. Riemer gave the opinion that should I show the comments to people on the campaign trail, that I would be violating the Judicial Code of Conduct due to the fact the comments originated from the court and thus I would be utilizing court resources. Mr. Riemer informed me that should I place these comments out in the lobby, I would be required to include any negative comments. Mr. Riemer was further concerned that the people who made the comments did not give their permission to have them shared. Proof of this is attached as **Exhibit #D-E** as proof. Based upon Mr. Riemer's opinion I changed the comment form to include a permission checkbox to share their comments to be later displayed in the lobby. Proof of this is attached as **Exhibit #D-F1 and D-F2** as proof. Due to Mr. Riemer's opinion, I am not sharing any comments with anyone on the campaign trail. I have yet to put the binder in the lobby because I only have a small number of comments utilizing the new form.

I wish to bring to the attention of the Commission the nail files in Exhibit 9B. I handed out nail files in the 2010 and 2014 elections. These nail files stated "*Elect Bruce Staggs Justice of the Peace*". When I got elected I had new nails files made up that stated "*Bruce Staggs Justice of the Peace*" so I could hand them out at nonpolitical



events. For the 2018 election I had new nail files made up that state "Re-Elect Judge Bruce Staggs". See attached **Exhibit #D-G** as proof. The nail files in exhibit 9B are the ones that state "Bruce Staggs Justice of the Peace". These have been organized in such a fashion that the entire nail file can't be seen to discern whether or not they are political in nature. Comparing the size and placement of my 1<sup>st</sup> name in Exhibit #D-G, proves that these nail files are not political in nature.

I do not know the exact dates when the privacy of my chambers was violated and my records rifled through but I do know it was on separate occasions. I cannot determine when the pictures of Exhibits 5A, 5B, 5C, 6A, 6B, 6C, 7A, 7B, 9B and 9C were taken. I do however know, within 2 days, when the picture was taken of my petition, Exhibit 8. This can be proved by signature dates. The third signature, by Mr. [REDACTED], was signed on [REDACTED]. The fourth signature, Ms. [REDACTED], shows a date of [REDACTED]. I'm attaching **Exhibit #D-H** as proof. My records also indicate that I received the endorsement from Mr. [REDACTED], of [REDACTED], on [REDACTED]. Based on this evidence, Exhibit 9A must have been taken on or after August 23, 2017. I'm attaching **Exhibit #D-I** as proof. I would ask the Commission members to note these dates as they will be cited later when I discuss why I feel that this entire Complaint is politically motivated.

This Complaint was stamped into Benson Justice Court, #3 on April 23, 2018. I became aware of the Complaint on the morning of April 24, 2017 when I came into work. Upon opening it and reading it I immediately called my interim Court Manager into my chambers. I showed her the pictures of Exhibits 5A, 5B, and 8. I asked her to verify that the binders and clipboard with petition were not present in my chambers. I opened every drawer and every cabinet in my chambers. I opened both my restroom and closet doors and had her verify that these items were not present. I did this with the other 2 employees that were present in the court. I have received a signed statement from a 21 year veteran Clerk attesting that the binders and the clipboard with the petition were not in my chambers when I received the Complaint. I'm attaching **Exhibit #D-J** as proof.

I want the Commission members to know that I took very seriously the orders I was given by the Commission on March 21, 2018, following my self-report, Case #18-309. I immediately contacted the Arizona State Troopers Association and advised them of your ruling. I did this also with the Fraternal Order of Police whose endorsement I was awaiting written confirmation. I even took the time to make a trip home at lunchtime to immediately remove the endorsement from my website, as I was commanded to do. I examined my chambers carefully after the March 21, 2018 Commission warning and removed the binders, Exhibit's 5A and 5B from my chambers. I didn't have to remove the clipboard with the petition because it was no longer in my chambers. Since I have been **very** careful to make sure that I never have anything whatsoever in the court that could be remotely considered political in nature. I have not used the computer for any political e-mails.

**In response to the allegation #8 above I give the following:**

On page 1, paragraph 1, of the Complaint, Ms. Herman alleges "*that he bullies some litigants and office staff by not being patient, dignified or courteous*". Ms. Herman has submitted supporting information in the form of Exhibits 1 through 40. This supporting information is all in regards to a defendant named M [REDACTED] C [REDACTED].

Ms. Herman alleges in case #2016 0060 that Mr. C [REDACTED] has mental illness and that as such he should have been appointed an attorney. For the record Mr. C [REDACTED] has never been declared to have mental illness. Mr.

Ci [redacted] has stated that he takes medication and is sick. His mother stated Mr. Ci [redacted] is on medication. At no time has mental illness been alleged. Despite being appointed an attorney prior to case #2016 0060 and also after, on cases #2016 0317 and #2016 0360, an attorney has never even motioned for Mr. Ci [redacted] to be examined for mental illness. Since receiving this Complaint I have met in conference with both Ms. Roberts, prosecutor and Mr. Suagee, defense attorney simultaneously. We discussed in detail the multiple cases of Mr. Ci [redacted] and his mental status. Mr. Suagee is the attorney that is routinely assigned the mental illness cases in Cochise County and thus is much more qualified than the average attorney to determine whether or not a Rule 11 should be motioned for. Mr. Suagee acknowledges that Mr. Ci [redacted] has mood swings but feels he has never had any valid reasons to seek to declare that Mr. Ci [redacted] is mentally ill. Each time I've have had contact with Mr. Ci [redacted] both in and out of the courtroom, Mr. Ci [redacted] has been totally alert, cognizant, competent and understands what is going on. Mr. Ci [redacted] doesn't ask for any the proceedings to be explained because he truly understands the process fully. Mr. Ci [redacted] acknowledges my questions immediately upon being asked and is respectful. Mr. Ci [redacted] even acknowledges that he knows that stealing is wrong and has expressed remorse for it.

During Mr. Ci [redacted]'s Arraignment on March 9, 2018, the CD Exhibit 1, reveals the following:

1. Explained 3 types of pleas - 1:43
2. Constitutional rights read - 2:35
3. Immigration rights read - 3:28
4. Value of an attorney explained - 4:04
5. Mandatory minimum penalty stated - 4:56
6. Explanation of giving up 2 Constitutional right in order to enter plea - 5:32
7. Explanation of Pre-Trial conference - 6:45
8. Explanation of victim having the present for sentencing - 8:00
9. Charges read - 28:59
10. Maximum penalties read - 29:10
11. Informed charge was jury trial eligible - 29:26
12. Asked if understood charge - 29:28

During the Arraignment Mr. Ci [redacted] never asked for an attorney. Mr. Ci [redacted] signed a Waiver of Attorney, Exhibit 4E.

Later in the Arraignment I asked Mr. Ci [redacted] if it was his mother that was present and why he put her through this. - 29:50

Mr. Ci [redacted] answered "I don't know. Because I'm sick" - 29:58

Mr. Ci [redacted]'s mother stated "He's on medication and he needs it ....." (the rest of the sentence isn't understood). - 30:06

I told his mother not to worry about the medication stating "We're not going to sentence him, we're not going to be doing anything today because he is going to, be going to, a Pre-Trial. You can tell that to the Prosecutor when you come." - 30:12



Mr. C: 's mother has never been present for any other hearings in the past and has never returned for any hearings since. Common sense suggests that if a parent felt that their child is mentally ill and incapable of defending themselves and, if they didn't ask for an attorney, they would at least come to all the subsequent proceedings.

I told Mr. C: that he cannot use his taking medication as an excuse to repetitively break the law. - 30:25

Mr. C: did not accept a Plea Agreement and on April 21, 2016 a trial was set for May 10, 2016, which Mr. C signed an "Order and Notice" for. There is no record why the trial was set out to June 14, 2016 nor is there a signed Order and Notice in the file.

On June 14, 2016 Mr. C: failed to appear for trial.

Discussion was held about this as documented on CD Exhibit 2 - Track 1.

I asked the Prosecutor if she wanted to hold the trial in absentia as is usually done. - 0:23

Ms. Roberts stated that it couldn't be done as Mr. C: hadn't signed an Order and Notice acknowledging the date of the trial. - 0:25

Ms. Roberts stated that she spoke to Mr. C: 's mother on June 13, 2017 about the trial date. - 0:46

Ms. Roberts stated that she preferred that a Bench Warrant be issued. - 1:10

Ms. Roberts signed a Failure To Appear Complaint, Exhibit 4F

A Failure To Appear warrant was issued, Exhibit 4G, and Mr. C: was brought to court.

The trial was documented on CD Exhibit 2 - Track 2.

Sergeant G: , referring to Mr. C: , stated "By his own admission, um, he stated that no one had gotten him up today. He was aware that he did in fact have court". - 1:32

I explained the sequence of the trial process to Mr. C: . - 2:04

I asked Mr. C: if he understood what was happening. Mr. C: answered that he did. - 4:08

I noted that Mr. C: had a right to an attorney, that he had waived his right to attorney at Arraignment and that by appearing without an attorney that he was giving up his right to an attorney. Mr. C: answered that he understood - 4:12

I explained the value of an attorney again to Mr. C: and asked if he understood it. Mr. C: answered that he did. - 4:44

I asked Mr. C: if he was forced or threatened in any way to appear without an attorney. Mr. C: answered that he wasn't. - 5:03

I noted that Mr. C: 's failure to obtain an attorney was voluntarily, intelligently and knowingly made and not the result of any force, threats or promises.

Mr. C: never retained an attorney from the time of his original plea, through the date of the trial. Thus, even though he was brought to the court by Sergeant G , I ruled that Mr. C: effectively appeared without an attorney.

I noted the Rule 15 Disclosure Statement that Ms. Roberts filed - 5:27

The trial proceeded. Sergeant G , Ms. A P: (the victim) and Ms. Herman testified. Mr. C: declined to ask any questions of any of the witnesses. - 6:54

Mr. C: declined to testify. - 26:15

I stated "And you recognize Sir that by not testifying that you're not putting forth any defense whatsoever then? You understand that? - 26:32

Mr. C: stated "Yes, yes Sir". - 26:40

I reviewed the State Statutes - 28:00

I found Mr. C: guilty of ARS 13-1803 A1 - 29:54

Ms. Roberts brought to my attention that I stated ARS 13-1803 A1 instead of ARS 13-1802 A1. I apologized and corrected the record to ARS 13-1802 A1, Theft. - 29:54

I found Mr. C: guilty of ARS 13-2506 A, Failure to Appear - 30:36

The victim was heard. Ms. P: stated "Just pay for the expenses of the light and things and like I said the anguish I've gone through with him hanging around my neighborhood. She further stated "Well, I would like to have him put away for one thing just to finally leave me alone in the neighborhood and all. I won't have any worries about having things being stolen from around my home. I'm leaving up to you Judge on what you feel". - 30:44

I took Judicial Notice of Mr. C: having previously been charged on 23 different occasions. - 33:02

I stated to Mr. C: , "I know that you are of sound mind and you know what's right and what's wrong, as far as stealing is concerned." - 34:20

I sentenced Mr. C as follows:

1. \$667.00 plus fees for ARS-2506 A, Failure to Appear
2. \$20.00 restitution for the solar lamp
3. \$4,575.00 fine, 6 months in jail and 3 years of probation for ARS 13-1802 A1, Theft

Probation was waived. - 38:22

Mr. C stated "It would be nice if, um, um, I wish, it would be a lot better for me to get probation and stuff at this moment and um, I've been doing my best going across the street doing my classes and things like that". And I do understand that I did mess up for stealing this young lady's light which I never should've but I say that was a stupid thing, you know, for me to just walk in the young ladies yard and the steal the ladies solar light. But, ah, I think probation will work out better than me doing time and just being locked up for, you know, reason when I am sick. I do take medication and stuff like that". - 38:27

I advised Mr. C that he had a right to appeal, could motion for a Setting Aside of the Judgment and that he could also file for Post Conviction Relief. - 43:51

**NOTE:** Following the trial it was realized that Mr. C was never Arraigned on ARS 13-2506. The conviction was immediately set aside and dismissed on June 14, 2016.

Ms. Herman makes a serious allegation that I made a comment before trial that I was going to put Mr. C "in jail for the maximum time allowed by law because he had so many prior cases" and that after the trial, I was heard saying to my wife and our neighbor, Mrs. M that during the campaign I promised the victim, Ms. P, that I was going to clean up her neighborhood and I would have to keep my promise. I've spoken to Mrs. M regarding this and while she cannot remember the specific details of that day, as it was 22 months ago, she feels she would definitely recall if I made any statement that I was going to convict Mr. C to keep a campaign promise, especially if it was made before the trial. I'm attaching **Exhibit #D-K** as proof.

If any Clerk, in any court, ever hears something of this magnitude and nature would they not bound by the Judicial Code of Conduct to immediately report it? Neither Ms. N, Ms. E nor Ms. Herman reported anything. Fear of retaliation was claimed at the very beginning of this Complaint, yet Ms. Herman waited from June 6, 2017 when she left the court until this Complaint was filed on March 6, 2018. Perhaps the argument could be made for retaliation if the Complaint was filed immediately upon Ms. Herman leaving the court but to claim that 3 separate Clerks, one a Court Manager, one a Court Specialist and one a Criminal Clerk, does not stand.

Due the fact that Mr. C was not Arraigned for ARS 13-2506 A, Failure to Appear, I do not deny that I made a mistake when Mr. C was convicted of it. I documented this error immediately upon realizing that mistake. I immediately set aside the judgment and the charge was dismissed. Ms. Herman claims that I violated Mr. C's rights. Mr. Suagee made a motion (Exhibit 4M) and my response is documented (Exhibit 4N). When speaking to Mr. Suagee, while he didn't recall everything due to the time that has passed, he stated that he must have concurred with my response else he would have filed an additional motion. I am confident that the Commission members know much more about the law than I do and will make the appropriate decision.

I want the Commission members to know that I had no intention whatsoever of leaving Mr. C in jail for 6 months when I sentenced him. This the very first time I ever sentenced anyone to the maximum fine and the very first time I sent anyone to jail, following a trial. It has never happened since. I have jailed defendants in the past for failure to pay but it never makes me happy and is a difficult thing to do. When I have committed them, after finding that they willfully didn't pay when they were able to, I've always left them in a couple of days and then call them back up. Upon getting a promise from them to pay, I immediately release them, always giving them credit at \$50.00 a day for the days they were in custody. For the vast majority of the defendants that have gone through this process, it has worked very well as they begin paying their fines.

Following sentencing Mr. C to the maximum fines and jail time I contacted my Presiding Justice of the Peace, Judge Tim Dickerson. I informed him of the events of the trial and indicated to him that my intention was to leave Mr. C in jail for approximately one week and then call him up, see if it made an impression on him, and release him. Judge Dickerson advised me not to do this as word would get around to all the other defendants that when Judge Staggs sentences someone that they wouldn't have to worry because they would be released early. He stated the Judge before him did this on a regular basis and it created a problem for when him when he got into office. Based upon Judge Dickerson's advice, I didn't call up Mr. C in the next week as planned. On September 15, 2016, I called Mr. C up, gave him double credit for time served and released him early. I have contacted Judge Dickerson since receiving this Complaint and while he does not recall the specific events that we talked about, due to the 22 months that has past, he recalls us having this discussion.

Mr. C remained law abiding until June 14, 2017 when he was cited for ARS 13-1805 A5 Shoplifting, Case number CR . On August 2, 2017 he was cited once again for violation of ARS 13-1802 A1, Theft. This was Case # . Mr. C was observed on police surveillance video to have taken a bicycle from the police impound lot. He was later found in possession of the bicycle. Mr. C said that he had taken the bicycle so he didn't have to walk home.

Group Arraignments were held on August 16, 2017, documented on CD Exhibit 3A, which reveals the following:

1. Court Manager, A N was acting as the Criminal Clerk. Ms. N was addressed by name - 1:22
2. Instructed about the comment box and praised staff - 2:14
3. Ground rules concerning the Arraignment - 3:02
4. Explained 3 types of pleas - 3:25
5. Read Constitutional rights - 4:25
6. Explanation of giving up 2 Constitutional rights in order to enter a plea - 5:20
7. Explanation of immigration warning 6:14
8. Expiration of value of an attorney - 6:50
9. Explanation of Pre-Trial Conference - 7:38

**Arraignment of Mr. C**, Case #CR 2016 0360 - 11:03

I asked Mr. C why he was back in court again - 11:13

I asked Mr. C: if he remembered the last case for stealing and going to jail for it. - 11:49

I read the charge. - 12:58

I read the PC statement. - 13:15

I read the maximum penalties. - 13:38

I advised Mr. C that theft is jury trial eligible - 13:51

I appointed Mr. C: an attorney, advising him that if he changed his plea to guilty or was found guilty at trial I would probably ask for jail time again. This was due to the fact this was the 25<sup>th</sup> time Mr. C: was charged in this court and, the Probable Cause Statement indicated that Mr. C: was observed on police surveillance video to have taken a bicycle from the police impound lot, thus there was proof evident/presumption great. - 13:54

I asked Mr. C if he was willing to give up his rights to enter a plea. - 14:10

Mr. C: entered a plea of not guilty. -14:20

On page 3, paragraph 9 of the Complaint, Ms. Herman alleges that Mr. C: arrived late and was called to the front of the caseload to make an "example" out of him. The record does not support the allegation that Mr. C: was late nor that I wanted to make an example out of him. I do have a policy that if defendants come late for Arraignments that they are left to last. The policy is in place so that the Defendants who arrive on time, don't have to wait the additional time that it would take for the Arraignment instructions, Constitutional rights and immigration warning to be repeated and read to the late defendant, in order to catch them up. This policy is seen in action and documented in Exhibit 1 that Ms. Herman submitted with the group Arraignments on March 9, 2016. The CD reveals that Mr. , Case #CR apologized for being late at 33:13. Mr. was seen last because he was late. Mr. waived hearing the group instructions at 33:30. I read Mr. 's his Constitutional rights at 33:46 and I read his immigration warning at 34:25, as is required with every Arraignment. If Mr. C was late I would've done exactly what I did with Mr. and I would have taken him last.

The record also clearly reflects that I do not have a policy of making "examples" out of defendants with multiple cases by taking them 1<sup>st</sup> to disparage them. During the group Arraignments on March 9, 2016 Mr. C: was seen 2<sup>nd</sup> to last at 27:46 and Mr. , who had previous multiple cases, was seen last at 33:13. Again the record shows that during the group Arraignments on August 16, 2017 Mr. was seen 2<sup>nd</sup> to last and Ms. , who had 7 previous Failure To Appear and 6 arrest warrants, was seen last. Neither of these 2 defendants were disparaged or made examples of.

The group Arraignments, on August 16, 2017, were followed by 3 juvenile civil traffic trials which are documented on CD Exhibit, 3B.

On page 6, paragraph 2 of the Complaint, Ms. Herman alleges "*Judge Staggs is heard banging files on the bench to get Clerks attention to turn off the recorder. This is routine for Judge Staggs to make a sign to the Clerk of their turn off the recorder so he may talk to litigants off the record*". This is a totally false accusation.

In my October 24, 2017 response to the Commission regarding the Complaint, Case # [redacted] I stated on page 14, 2<sup>nd</sup> paragraph, 3<sup>rd</sup> and 4<sup>th</sup> sentence: "*I have learned not to tap my pen on my pad as it sounds like a drum. It is very irritating for anyone listening to it and it affects the clarity of the record.*" At 53:17 on CD Exhibit, 3B, the alleged banging is not coming from case files but my habit of tapping with my pen. When I finish arraigning a defendant I take a minute or so to fill out and sign all the paperwork. My filling out of the paperwork is the silence on the CDs that is present between each and every one of the defendants being arraigned. Towards the end of filling out the paperwork I call up the next defendant so I don't have to wait any additional time for the defendant to walk up to the podium. The order I take the case is in is totally dependent upon the Criminal Clerk handing up the record to the bench. When I finish with the paperwork I set the file on the edge the bench for the Criminal Clerk to take so she can have the defendant sign all the documents. I only have 2 files on my bench at any one time, the file I'm working with and the file waiting for the next defendant. At 53:17 we were completely done with Arraignments and completely done with the juvenile civil traffic trials. Thus, there were no case files left to bang on the bench with. All the defendants had exited the courtroom so the allegation that I was banging on the bench to talk to litigants off the record is totally false because there were no defendants left in the courtroom. The only people present were myself, Court Manager A [redacted] Ne [redacted] acting as the Criminal Clerk and security guard, R [redacted] Al [redacted].

Policy is for the Clerk to automatically go off record when we're done with cases and court is adjourned. If the Clerk does not go off the record I don't "bang" files on the bench. I ask the Clerk to take me off the record, such as is documented at the end of CD Exhibit 2, Track 1, where I stated "*Go off the record now*". - 4:29

I believe the above addresses allegations #'s 1, 7, 8 and 9 that Ms. Herman has actually submitted information on.

I would now like to respond to the allegations that Ms. Herman has supplied no supporting documentation for, allegations #'s 2 through 6.

**In response to the allegation #2, I give the following:**

On page 1, paragraph 1 of the Complaint, Ms. Herman has alleged that I am "*rude, sarcastic and vindictive*"

I interact with the Criminal Clerk probably more than any other Clerk in the court, accept perhaps the Court Manager. To my knowledge Ms. Herman and I have never had a cross word. Ms. Herman was never given a verbal warning much less a written warning. I felt that we worked very well together and as she stated in her Complaint, she left under "*favorable circumstances*". The last time I saw Ms. Herman was at a spa when my wife and myself went there on December 04, 2017 to purchase \$250.00 in gift certificates as Christmas gifts to each of my then five Clerks. I'm attaching **Exhibit #D-L** as proof. One of my previously employed Clerks, Ms. D [redacted] S [redacted], who has since re-accepted a position here again, was present at the spa assisting them. Ms.

Herman came in because she was going to have lunch with Ms. S. My wife and I had a pleasant conversation with Ms. Herman and discussed how her son Connor was doing. Previously Ms. Herman was offered the management position at a hair salon but didn't take it. It my understanding that when Ms. Herman was offered the position again she took it and said that the deciding factor for her to quit the court, was to be able to spend more time with , due to the challenges that he was experiencing.

If I 'm so "rude, sarcastic and vindictive", to the point that Ms. Herman felt the need to come into the court, a little less than two months later on January 29, 2018 to obtain a copy of Mr. C: s file and later file this Complaint, why did she even, talk to me, much less have a cordial conversation?

CD Exhibit 1, reveals the following verbiage that I used with defendants in Arraignments on March 9, 2016:

I said "Bless you ma'am" to a defendant after she sneezed. - 0:58

**Arraignment of , Case #CR : . - 9:40**

According to the record Mr. was referred to as "Mr." 1 time; "Sir" 18 separate times; told "Thank You" 1 time; was asked "Please" 1 time and apologized to 1 time.

**Arraignment of , Case #CR : and CR : . - 15:59**

According to the record Mr. was referred to as "Mr." 1 time; "Sir" 12 separate times and was asked "Please" 1 time.

**Arraignment of , Case #CR : . - 23:20**

According to the record Ms. was referred to as "Ms." 1 time; "Ma'am" 17 separate times; told "Good Morning" and "Thank You" 1 time and told "Wish you the best Ma'am" 1 time.

**Arraignment of M C , Case #CR : . - 27:46**

According to the record Mr. C was referred to as "Mr." 6 separate times; "Sir" 12 separate times; and was asked "Please" 1 time. Mr. C: 's mother was called "Ma'am" 2 times; "Ms." 1 time and told to have a "Great Day" 1 time.

**Arraignment of , Case #CR : . - 33:13**

According to the record Mr. was referred to as "Sir" 8 separate times.

### **Arraignments on August 16, 2017**

CD Exhibit 3A, reveals the following verbiage that I used with defendants in Arraignments on August 16, 2017:

**Arraignment of M C , Case #CR : . - 11:03**

According to the record Mr. C was referred to as "M" 2 separate times; "Mr." 8 separate times; "Sir" 6 separate times and was asked "Please" 1 time.

**Arraignment of , Case #CR : . - 16:30**

According to the record Mr. was referred to as "Mr." 1 time; "Sir" 12 separate times; complemented him on his attire and wished him the best.

**Arraignment of , case #TR : . - 25:25**

According to the record Ms. was referred to as "Ma'am" 19 separate times; "Miss" 1 time and "Thank you" 1 time.

**Arraignment of I , Case #CR 2 . - 33:10**

According to the record Mr. was referred to as "Mr." 1 time; "Sir" 17 separate times; "Please" 2 separate times and "Thank you" 1 time.

**Arraignment of , #CR : .**

According to the record Ms. was referred to as "Ma'am" 21 separate times.

**Arraignment of , Case number CR . -**

According to the record Mr. was referred to as "Mr." 16 times; "Please" 2 separate times and "Thank You" 1 time.

**Arraignment of , Case #CR . - 48:42**

According to the record Mr. was referred to as "Sir" 4 times.

**Arraignment of , Case #CR : . - 53:01**

According to the record I was referred to as "Ma'am" 19 separate times; "Please" 1 time; apologized to 1 time and wished the best.

CD Exhibit 3B, reveals the following verbiage that I used with defendants in Civil Traffic Trials on August 16, 2017:

**Juvenile Civil Traffic Arraignment/Trial of , Case #TR . - 0:00**



According to the record Ms. [redacted] was referred to as "Ma'am" 19 separate times; "Miss" 4 separate times "Please" 2 separate times; apologized to 1 time and wished her the best.

**Juvenile Civil Traffic Arraignment/Trial of [redacted], Case #TR: [redacted] - 22:32**

According to the record [redacted] was referred to as "Ma'am" 19 separate times; "Please" 1 time; "Thank You" 2 separate times and "Have a good day" 1 time. [redacted] was referred to as "Sir" 2 times.

**Juvenile Civil Traffic Arraignment/Trial of [redacted], Case #TR [redacted]**

According to the record Mr. [redacted] was referred to as "Mr." 8 separate times; "Please" 2 separate times;; "Thank You" 1 time; "Respect what you do" 1 time; "Have a good day" 1 time; "Be very careful out there" and apologized to 1 time.

With regards to being "*rude, sarcastic and vindictive*" with staff members I submit the following:

The record reveals on CD Exhibit 2, Track 2:

I said "Thank You" to the Criminal Clerk, Ms. Herman. - 0:38

When Ms. Herman was excused from testifying she stated "Thank you Judge" to which I answered "Your very welcome". - 25:52

I apologized for finding Mr. C: [redacted] guilty of ARS 13-1803 A1 instead of ARS 13-1802 A1. - 29:54

I apologized to Ms. Herman for something. - 51:45

The record reveals on CD Exhibit 3A:

I apologized to Ms. N [redacted] for something. - 53:01

On August 8, 2017 Court Manager, Al [redacted] N[redacted], clearly broke the Judicial Code of Conduct by using court resources to use the printer to print out the Statement of Organization, for her husband [redacted] N[redacted]. I did not report this to Court Administration is I didn't want her career affected, nor was she given any type of verbal or written warning.

Ms. N[redacted] was given the instruction in July 2017 to pay the 2017 annual Justice of the Peace conference dues. Just before the conference, to cover her mistake, Ms. N[redacted] paid the \$190.00 out of her own personal funds. Ms. N[redacted] was not given any type of warning.

These are serious infractions of the Judicial Code of Conduct yet Ms. N[redacted] was not reported notwithstanding that Mr. and Mrs. N[redacted] are actively seeking to take my job and livelihood away from me. I believe this is proof that I'm not "*vindictive*".

Until researching for this Complaint, I have never given any staff member a verbal warning, much less a written warning.

My 1<sup>st</sup> Criminal Clerk, Vi Gr , and I didn't get along at all. She had no patience for me learning the courtroom and had a very bad attitude towards life and definitely toward being a Clerk, as she didn't feel she wasn't being paid enough. She was looking for another job prior to me coming to the court. Aside from her bad attitude she was very competent at her job. There is yet to be a Criminal Clerk here that fills the position as well as she did. Notwithstanding our clash of personalities, I wrote her a recommendation which assisted her to secure a much higher paying job. I'm attaching **Exhibit #D-M** as proof.

I believe that the record above clearly speaks for itself and reveals that I am not "*rude, sarcastic and vindictive*" to defendant's or to my staff. I do my best to show all defendants dignity and respect. Even though I made it known that I was unhappy with Mr. C's frequent visits to the court I addressed him as "Sir". During Mr. C's trial I never raised my voice to him and I always referred to him as "Sir". I want the Commission to know that I have no bias towards Mr. C whatsoever. In fact, just prior to receiving this Complaint, I saw Mr. C walking down the street and I stopped my truck to speak to him. I Inquired how he was doing and we had a pleasant and lengthy discussion about what was going on in his life. He harbors no ill will towards me that I'm aware of.

**In response to the allegation #3, I give the following:**

On page 1, paragraph 1 of the Complaint Ms. Herman alleges that I make "*sexist, racial and derogatory comments to my staff*". I don't know how to combat these allegations as no proof or evidence was submitted to anything specific. I categorically deny that I ever made any "*sexist, racial and derogatory comments to my staff*". I've been happily married for 40 years to my wife who I met in high school. I am an Eagle Scout with a Silver Palm. I went on a mission for my church. I'm an active member of my church and serve in positions there. One man, it was a very good friend, and happened to be black, was in fact a groomsman in my wedding line. No allegations such as this has ever been made against me.

I have taken the time to contact 5 male individuals that I come into contact on a regular basis in the court. They are as follows:

1. R A , who was my security guard until mid-December 2017. I interacted with him every single work day.
2. C H who is my current security guard. I interact with him every single day.
3. Jim Brt, who is a Probation Officer upstairs, who comes down for coffee almost every single day.
4. E S who is a Probation Officer upstairs, who comes down for coffee almost every single day.
5. Judge Trevor Ward, JP-4. I interact with Judge Ward every 2-3 days and many times we have long discussions.

I've gone to each of these individuals and have asked them if they have ever heard me swear, tell a dirty joke, make a sexual comment, or say anything racial in nature. They all answered "no". I even called one of the Probation Officers into my chambers asking him to watch his language because he embarrassed Ms. E.

I invite you to contact each and every one of the individuals above. It is my sincere feeling that if a man does not interact with other men in this manner, that same man would not act that way in front of ladies.

**In response to the allegation #4, I give the following:**

On page 1, paragraph 1 of the Complaint, Ms. Herman alleges "*His lack of management is concerning as he rarely accepts responsibility*". Again I don't know how to combat this allegation as no proof or evidence has been submitted to anything specific. I personally have firm belief that every person needs to accept responsibility. I believe my actions have spoken for themselves, that I do my best to accept responsibility, and when I have made a mistake to make it a learning experience, so I grow from it and be a better Judge and a better person.

**In response to the allegation #5, I give the following:**

On page 1, paragraph 1 of the Complaint, Ms. Herman alleges "*His conduct has been in question even before he first took office*". Again I don't know how to combat this allegation of as no proof or evidence has submitted to anything specific. Due to the fact that Ms. Herman did not know me prior to my term in office, nor ever live in the Benson, AZ, area I don't see how she can conclude this. The only thing I can think of with regards this allegation is perhaps gossip that Ms. Herman heard from other staff members regarding me being cited for trespassing on the campaign trail in 2010. This was determined to be a false claim, political in nature and was dismissed before I was Arraigned.

**In response to the allegation #6, I give the following:**

On page 1, paragraph 1 of the Complaint, Ms. Herman alleges "*Numerous complaints have been reported to human resources and court administration but as an elected official there has been little that could be done*". Again I don't know how to combat this allegation of as no proof or evidence has submitted to anything specific. I have taken time to contact Tia Richey who is HR Manager for the courts, in Cochise County. Ms. Richey has informed me that there has never been a written complaint ever filed against me. This can be verified by contacting Ms. Richey at Cochise County HR.

**Political Motivation**

I want the Commission to know that I feel very strongly that this entire Complaint is politically motivated. It is my firm belief that Ms. Herman is being used as a "strong person" by my former Court Manager, Anita N. [redacted], for political purposes. To explain this I would like to give a history of the tenuous activities at Benson Justice Court #3.

History of facts are as follows:

1. I originally ran for office in 2010 against the incumbent Judge who the staff was fiercely loyal to
2. I knocked on doors from 9:00 AM until dark, each and every day except Sundays, from March until the Primary election

3. In attempt to set myself apart from the judge at that time, who was a former law enforcement officer, I put out a pamphlet that stated *"No Law Enforcement Background - Bruce Staggs has no bias or prejudice that most officers develop from negative encounters they experience on a daily basis"*. This was taken very negatively by the officers and it was widely distributed that I hated law enforcement officers. Due to the backlash the pamphlet was changed to state *"No Law Enforcement Background - Due to not being a former officer, Bruce Staggs will come to a fair and impartial resolution, having no potential conflict of interest of automatically siding with law enforcement"*. I'm attaching **Exhibit #D-N1** and **Exhibit #D-N2** as proof.
4. During campaigning I was cited for trespassing after coming on the property of a Benson Police Department Sergeant, whose wife was heavily supporting the incumbent Judge. Notwithstanding that I had permission from the Sergeants son to come on the property, I was cited for trespassing the next day. This made the front page of the paper. The charge was dismissed prior to me even having an Arraignment, as the Prosecutor ruled it was politically motivated. I'm attaching **Exhibit #D-O** as proof.
5. The incumbent Judge was in the middle of a very publicized divorce. False allegations against him were put in writing and distributed to the public. I was falsely accused of being responsible for this and was able to defend it because I was able to point out that many of the statements were about events that occurred well before I moved to the Benson area and thus I couldn't have had knowledge of them. Ms. N , who was the Court Manager for this Judge during this time, attended a political function with the Judge. While there, Ms. N pulled me aside and personally accused me of circulating these false allegations. She told me the Judge was a great man and a great Judge.
6. I lost the Primary election by 295 votes
7. I ran again in 2014 when the incumbent Judge made the decision to retire.
8. Again I knocked on doors from 9:00 AM until dark, each and every day except Sundays, from March until the General election
9. One of the candidates I ran against in that Primary election is the husband of my current interim Court Manager, Ms. C E
10. Due to my work ethic I won the General election and was the first non-attorney/non-law enforcement officer to be elected as the Benson Justice of the Peace, in a very long time
11. The incumbent Judge at the time was instrumental in getting me appointed as a Pro-Tem. I began setting the bench before my term of office.
12. The incumbent Judge left the court in the early afternoon and I began moving into my chambers in the late afternoon. The act of me moving in so quickly was extremely upsetting to Ms. E , to the point she immediately began looking for another job. She has continued to job hunt for another job.
13. On the early morning of August 2, 2017, when I came into the court, I found a political Statement of Organization in the printer. When Ms. E came into the court I questioned if her husband was running against me again, to which she answered "no" and stated she didn't know who printed the form. I went into court to see prisoners and when I came out I was immediately approached by then Court Manager, A N , apologizing profusely that I had to find out in this way that her husband, N , was going to be running against me. This totally shocked me. Ms. N stated that she had already paid \$1.00 to Ms. E , for the copies. I'm attaching **Exhibit #D-P** as proof.
14. The privacy of my chambers was violated on separate occasions in August of 2017 when private records were opened and pictures were taken to gather information for this Complaint

15. Ms. Ni made major changes with regards to her duties, with other staff members, to limit our interaction. When questioned regarding this she informed that she didn't "trust me" and she was "watching her back". Due to the stress that was being created in the office and, due the fact it would carry on for more than a year until the 2018 General Election, I sought counsel and direction from the Presiding Judge of the Superior Court of Cochise County, Judge Jim Conlogue
16. On September 8, 2017, when I was at the Justice of the Peace Conference, Judge Conlogue, removed Ms. Ni from Benson Justice Court #3. Ms. Ni was placed in Sierra Vista Justice Court #5. I'm attaching **Exhibit #D-Q** as proof.
17. On July 10, 2017 I instructed Ms. Ni to pay my registration fees for the annual 2017 Justice of the Peace Conference. On August 18, 2017, to cover her mistake, Ms. Nelson paid \$190.00, out of her own checking account, for these registration fees. I did not become aware that this had occurred until December of 2017. I sought direction from Superior Court Administration who instructed me to authorize a reimbursement for Ms. Ni. I'm attaching **Exhibit #'s D-R1, D-R2, and D-R3** as proof. I do not know the outcome of this.

Numbers 1-17 are facts are true, documented, and cannot be disputed. I inform the Commission of the above details solely for the purpose of giving an understanding of the underlying current of hostility directed towards me, by a few of a fiercely loyal staff (A Ni, C Et and V Gr) to the previous Judge, when I took the bench. This hostility continues to the present date and this prejudice has been passed down to other staff members. Two former staff members and one current staff member have informed me that Ms. Ni as Court Manager and also C Et, both as a Court Specialist and interim Court Manager, disparage me for policies I have instituted and changes that I have made. I am attaching **Exhibit D-S** as proof.

While I cannot prove it, I do not believe that Ms. Herman wrote this Complaint. I present the following facts to support this:

1. Ms. Herman left the court on good terms June 2, 2017
2. Ms. Herman was obligated under the Judicial Code of Conduct to report the serious allegations she is claiming and failed to do so. Ms. Herman's claim of fear of "retaliation" doesn't stand when she also alleges that other employees were aware of it also
3. When Ms. Herman went through the employment exit process, nothing was reported by her to HR
4. December 4, 2017 my wife and I had a pleasant conversation with Ms. Herman
5. Ms. Herman waited 9 months following resignation, until March 6, 2018, to file a Complaint. If Ms. Herman truly felt fear of "retaliation", this Complaint should have been made the day after she resigned, on June 3, 2017
6. I have documented that Exhibit #8 picture was taken between August 7, 2017 and August 9, 2017. This is after Ms. Herman had resigned employment
7. I have documented that Exhibit #9A picture was taken after on or August 23, 2017. This is after Ms. Herman had resigned employment
8. Exhibit #4A, pages 1-6, are a print out from AZTEC. They would normally not be part of the record in the case file. These pages are not presently in the file. They have a print date of August 26, 2017. This is after Ms. Herman had resigned employment
9. Ms. Herman states in the Complaint that she learned about Case #CR from another employee

10. On page 3, 9<sup>th</sup> paragraph of the Complaint, Ms. Herman stated: " ... *his demeanor changed.*" How could Ms. Herman describe my alleged demeanor if she wasn't in the courtroom? Ms. Ni was the Criminal Clerk that day
11. It is my belief that it would take a person of greater understanding of the court, Judicial code of Conduct and politics to write a Complaint of this nature, being as detailed and accusatory as it is

It is my firm belief that my former Court Manager, A Ni, is using not only Ms. Herman but also one as "straw persons" to attack my character, this Complaint is retaliatory in nature and is also politically motivated. I present the following facts to support this:

1. Ms. Ni has motive:
  - a. She has been removed as a Court Manager and now functions as a clerk
  - b. Has to bear the expense of having to drive 72 miles round-trip, to Sierra Vista, AZ, each day
  - c. Has to bear the burden of adding 1 ½ hours of travel time to her workday each day
  - d. Cannot see her daughters sports activities as much, who she is very supportive of
2. I eventually advised Judge Conlogue that Ms. Ni used court resources to print her husbands Statement of Organization back on August 2, 2017.
3. Picture evidence was gathered for this Complaint in August 2017 for Exhibits #4 A, pages 1-6, #8 and #9 A. Ms. Herman was not capable of doing this as she had resigned employment June 2, 2017. On May 3, 2018 I checked with the head of Court Security, T S, regarding who has access to the court after hours. I'm informed that the policy of Court Administration, throughout entire Cochise County, is that of the staff personnel, only the Judge and and the Court Manager have 24/7 access to the court. I'm attaching **Exhibit #D-T** as proof. In the past, my chambers has always been left open at night. The previous Judge allowed the staff to transit freely through his chambers into the courtroom. I did not make a change in this policy because when I first arrived I tried to make as little changes as possible. It is also easier for the staff to gain access to the courtroom through my chambers. The Court Manager's office is directly across from mine, with her desk facing both our entry doors, making it impossible for anyone to enter my chambers, without being seen. We have a common work area for all staff members, so every staff member is aware where other staff members are, at almost all times. In the past, my chamber door has always been open during the day, unless I'm taking a private call. While having my chambers door always open would allow access by any staff member during the day, it is inconceivable for any competent person to believe that a staff member would risk being caught violating the privacy of my chambers, to gather the evidence in Exhibits #'s 5A, 5B, 5C, 6A, 6B, 6C, 7A, 7B, 8, 9A, 9B and 9C
4. The Complaint mentions "*His conduct has been in question even before he first took office*". I never met Ms. Herman prior to employment. Ms. Herman never lived in Benson pre-employment
5. Ms. Herman stated in the Complaint that she heard about Case #CR : through another employee
6. During the Arraignment on August 16, 2017, Case #CR , the Complaint states "... *his demeanor changed.*" This date is after Ms. Herman had terminated employment. On this day Ms. Ni was acting as the Criminal Clerk and the only Clerk in the courtroom. As such, Ms. Ni is the only staff member that could have witnessed any alleged change of "*demeanor*"
7. On January 25, 2018, according to a "Request for Court Records" form, Ms. requested "Audio/CD" on Case #CR : and Case #CR : . Ms. paid the \$26.00 research



fee. C E , the interim Court Manager initials, are on the request. I'm attaching **Exhibit #D-U1** and **Exhibit #D-U2** as proof.

8. I have become aware that Ms. goes to the same church and is in the same congregation, as Al and Ne. While knocking on doors, on May 5, 2018, I canvased Street in Benson, AZ. Ms. now lives at . According to record Exhibit #5A, I had meet Ms. deceased mother previously and she allowed me to put up a lawn sign on her property during the last election. I met Mr. and after talking with him for a period of time, regarding my qualifications, I asked him to sign my petition. He declined, stating that he had already signed L. Ne's petition. I then asked if he or knew an . He had no idea who she was. I then asked if he or his wife knew a . He had no idea who he was. I then asked that, if he or Mrs. didn't have a relationship with and didn't know who Mr. was, what was the reason Mrs. requested and paid for CD's of Mr. cases. He then remembered who Mr. was. I asked if Ms. Ne had asked Ms. to obtain the record. Mr. informed me that Ms. Ne had requested Mrs. to obtain the CD's
9. On January 29, 2018, according to a "Request for Court Records" form, Ms. Herman requested "copies only" of Mr. C's Case #CR 2016 0060. Ms. Herman paid the \$26.00 research fee and also paid \$4.50 for copies. I'm attaching **Exhibit #D-V1** and **Exhibit #D-V2** as proof. There are no Clerk initials as to who processed this request.

The court charges \$.50 a copy, which would equal a total of 9 copies. How could Ms. Herman make a Complaint, extensively quoting CD's that she didn't purchase and turn in many more than 9 copies of Exhibits' in her Complaint?

## Conclusion

The record clearly indicates that on June 14, 2016, Mr. C was not Arraigned on the charge of ARS 13-2506 A, Failure To Appear. The record is also clear that this error was recognized that same day, the conviction was set aside and the charge was dismissed. Should the Commission impose a penalty, it will be accepted, as the mistake was made by me.

On January 31, 2018 the Commission advised me with regards to , Case # , about making comments that could affect the outcome of a case. In reviewing the record, it is clear that on August 16, 2017, while Arraigning ( on Case #CR , I made a comment as to the number of times Mr. C had been to the court. While I do not feel this could possibly have affected Mr. C's cases, I admit the comment was made. Cases #CR : and CR , both again for theft by Mr. C, were combined. Mr. C signed a Plea Agreement agreeing to 120 days in jail, to be suspended, should Mr. C remain law abiding for 6 months and participates in counseling. I'm attaching **Exhibit #D-W** as proof. Since January 31, 2018 I've done my best, not to repeat making any comments.


I categorically deny that I am swayed by partisan interests.

I categorically deny the records in the 2 binders, Exhibits #'s 5A and 5B, were used in any way to determine, or predetermine, the outcome of any cases.

I categorically deny that political activity was occurring in the court. While Exhibit's #'s 5A, 5B, 5C, 6A, 6B, 6C, 7A, 7B, 8, and 9 are political in nature, they were not present in the court for any political purposes. As stated previously these exhibits were removed from my chambers prior to receiving this Complaint.

No specific documentation was submitted to support the other allegations. As such I don't think I had to defend against them, however I did. I trust and respect that the Commission will review my responses, take into consideration the evidence which I have presented and make their decision, based upon the overall facts that the Commission has been provided.

As stated previously it is my firm belief that my former Court Manager, A Ne, is using not only Ms. Herman but also as "straw persons" to attack my character. I believe the above explanation, facts and exhibits presented reveal this Complaint is retaliatory in nature. I believe the above explanation, facts and exhibits presented also reveal this Complaint is politically motivated.

Judge Bruce E. Staggs   
Benson Justice of the Peace #3

## CRIMINAL TRIAL CHECKLIST Exhibit # 0-A

DATE: ??

CASE NUMBER: CR 2018 ??

DEPUTY/OFFICER/TROOPER: ???

DEFENDANT: Mr. Ms. ??

DEFENSE ATTORNEY: ??

VIOLATION DATE: ??

VIOLATION TIME: ??

LOCATION: ??, Benson, AZ 85602

CHARGES: ARS § ??, ??, M-??

ARS § ??, ??, M-??

- ☐ Convened Court ☐ Advised of the order of the proceedings ☐ Called case ☐ Change of plea requested to guilty  
☐ Exhibits marked ☐ Legal counsel advisement to the Defendant ☐ Read the Complaint ☐ Maximum penalties

## STATE

Witness 1: ?? Witness 2: Witness 3:

- ☐ Swearing in of Officer ☐ Officer examination (☐ Date ☐ Time ☐ Location ☐ Identity ☐ Jurisdiction)  
☐ Defense cross-examination ☐ Officer re-examination ☐ Judges questions of Officer  
☐ Swearing in of other State's witness ☐ State's Witness testimony ☐ Defense cross-examination  
☐ State's witness re-examination ☐ Judges questions of State's witness

Exhibits ☐ Non Offered ☐ Offered ☐ Objection ☐ Admitted ☐ Not admitted ☐ State rests

## DEFENSE

Witness 1: ?? Witness 2: Witness 3:

- ☐ Swearing in of Defendant ☐ Defendant testimony ☐ State cross-examination ☐ Defendant rebuttal testimony  
☐ Judges questions of Defendant  
☐ Swearing in of other Defendant's witness ☐ Defendant's witness testimony ☐ State cross-examination  
☐ Defendant's witness re-examination ☐ Judges questions of Defendant's witness

Exhibits ☐ Non Offered ☐ Offered ☐ Objection ☐ Admitted ☐ Not admitted ☐ Defense rests

## CLOSING ARGUMENTS

- ☐ State closing argument ☐ Defense closing argument ☐ State last say

## CONCLUSION

- ☐ Read statute/elements ☐ Guilty beyond a reasonable doubt ☐ Summarize each parties evidence ☐ Explain why

## JUDGEMENT/VERDICT

- ☐ Guilty ☐ Not guilty ☐ Defendant didn't appear ☐ Trial in abstention

## SENTENCING

- ☐ Base fine amount \$ \_\_\_\_\_ ☐ Court fees ☐ \$36.60 ☐ \$76.60 ☐ Payment Order ☐ 3 months ☐ 6 months  
☐ \$ \_\_\_\_\_ payment required each and every month ☐ Base fine reduced to \$ \_\_\_\_\_ contingent upon successful completion of monthly payments each and every month ☐ Suspend fine ☐ Paid fine in full

## WARNING FOR FAILURE TO COMPLY

- ☐ Order To Show Cause Summons ☐ Warrant ☐ Collections ☐ License suspended ☐ MVD notified ☐ Tax intercept

- ☐ APPEAL (14 calendar days from today) ☐ QUESTIONS ☐ CONCLUDE HEARING

Bruce Staggs  
Justice of the Peace JP-3

\_\_\_\_\_  
Date

Exhibit #0-B

To whom it may concern,

Judge Staggs has conducted himself as a professional and been very appropriate in behavior. Judge has never asked me to sign any petitions and in fact, adamantly refused when my signature was offered. His concern for his staff is received as top priority and working for Judge Staggs has been a pleasure.

Partisan Nomination Petition

EX-6, 6, 4# D-C-1



I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Stagg who resides at P. O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed Name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of Signing
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6-5-17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6-5-17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6/8/17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6/9/17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6/12/17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6-12-17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	6/15/17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	7/12/17
	Bruce E. Stagg	Post Office Box 176, St. David, AZ 85630	7-22-17

# Partisan Nomination Petition

Exhibit # D-22



I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Stagg who resides at P. O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
1. <i>[Signature]</i>			6-6-17
2. <i>[Signature]</i>			6/6/17
3. <i>[Signature]</i>			6-7-17
4. <i>[Signature]</i>			6-7-17
5. <i>[Signature]</i>			6-7-17
6. <i>[Signature]</i>			6-7-17
7. <i>[Signature]</i>			6-7-17
8. <i>[Signature]</i>			6-7-17
9. <i>[Signature]</i>			6-8-17
10. <i>[Signature]</i>			6-8-17



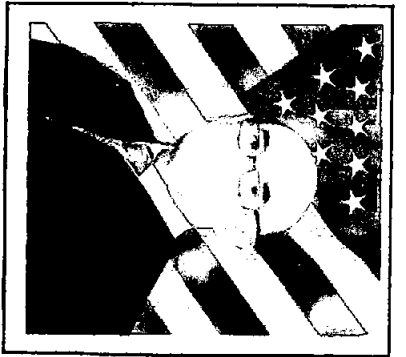
# Partisan Nomination Petition

Exh. bit #0-C3



I, the undersigned, a qualified elector of the county of Coconino, state of Arizona, and of (here name political division or district from which the nomination is sought) IFD-3, and a member of the Republican party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Steve E. Steyer who resides at 180. 500 176 St. Andrews in the county of Coconino for the party nomination for the office of Attorney at the County to be held at the primary election to be held on 6/26/18 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
1.			6-17-17
2.			6-17-17
3.			6/29/17
4.			6/29/17
5.			6/29/17
6.			6/29/17
7.			6-30-17
8.			7/4/17
9.			7/4/17
10.			7/4/17



# Partisan Nomination Petition

EX-16174 DC4

I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Stange who resides at P.O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
1. <u>[Signature]</u>		<u>[Address]</u>	<u>6-30-17</u>
2. <u>[Signature]</u>		<u>[Address]</u>	<u>7/4/17</u>
3. <u>[Signature]</u>		<u>[Address]</u>	<u>07/04/17</u>
4. <u>[Signature]</u>		<u>[Address]</u>	<u>07-04-17</u>
5. <u>[Signature]</u>		<u>[Address]</u>	<u>7/4/17</u>
6. <u>[Signature]</u>		<u>[Address]</u>	<u>7-4-17</u>
7. <u>[Signature]</u>		<u>[Address]</u>	<u>7-4-17</u>
8. <u>[Signature]</u>		<u>[Address]</u>	<u>7-4-2017</u>
9. <u>[Signature]</u>		<u>[Address]</u>	<u>7/04/2017</u>
10. <u>[Signature]</u>		<u>[Address]</u>	<u>7/4/2017</u>

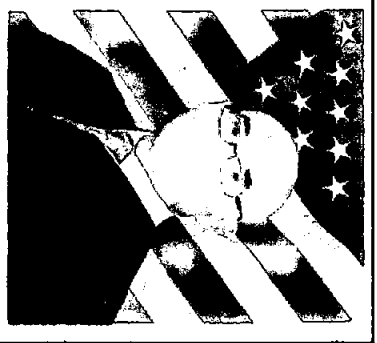
# Partisan Nomination Petition

Exhibit A-OCS



I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Stagg who resides at P.O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
<i>[Signature]</i>			7/4/17
<i>[Signature]</i>			7/4/17
<i>[Signature]</i>			7/4/17
<i>[Signature]</i>			7-4-17
<i>[Signature]</i>			7-4-17
<i>[Signature]</i>			7-4-17
<i>[Signature]</i>			7-4-17
<i>[Signature]</i>			7-4-2017
<i>[Signature]</i>			7-4-2017
<i>[Signature]</i>			7-4-2017



Partisan Nomination Petition

EXHIBIT A D-66

I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Stagg who resides at P.O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
1. <i>[Signature]</i>			7/4/17
2. <i>[Signature]</i>			7/4/17
3. <i>[Signature]</i>			7/4/17
4. <i>[Signature]</i>			7/4/17
5. <i>[Signature]</i>			7/4/17
6. <i>[Signature]</i>			7/4/17
7. <i>[Signature]</i>			7-4-17
8. <i>[Signature]</i>			7-4-17
9. <i>[Signature]</i>			7-4-17
10. <i>[Signature]</i>			7-4-17

# Partisan Nomination Petition

Exhibit # D-27



I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or Independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Stagg who resides at P.O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
1. <i>[Signature]</i>			7-4-17
2. <i>[Signature]</i>			7-4-17
3. <i>[Signature]</i>			7-4-17
4. <i>[Signature]</i>			7/4/17
5. <i>[Signature]</i>			7/4/17
6. <i>[Signature]</i>			7-4-17
7. <i>[Signature]</i>			7-4-17
8. <i>[Signature]</i>			7/4/17
9. <i>[Signature]</i>			7-4-17
10. <i>[Signature]</i>			7-4-17

Exhibit #0-0

**COMMENTS:**

02 AUG 2017

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name:**

**Telephone No:**

\_\_\_\_\_



**Staggs, Bruce**

---

**From:** Staggs, Bruce  
**Sent:** Wednesday, October 4, 2017 9:05 AM  
**To:** Riemer, George  
**Subject:** RE: Use Of Comments Written By Defendants

To be clear, I will not be proceeding with using any comments. I never want to break the rules. I hadn't even considered #5 and was concerned with #6. While I wish I could use the comments for election purposes I will have to be content knowing what the public thinks of my character.

Again thank you for your time, expertise, knowledge and professionalism. It is most appreciated.

**From:** Riemer, George  
**Sent:** Wednesday, October 4, 2017 7:52 AM  
**To:** Staggs, Bruce  
**Subject:** Re: Use Of Comments Written By Defendants

Thanks. The recusal issue would obviously depend on the facts. I am not answering that question categorically. I understand you will not proceed based on my reactions on issues 5 and 6. You might create a public comment binder for public review, but only after ensuring that anyone providing a comment knows his or her comment, including identifying information, will be public.

Get [Outlook for iOS](#)

---

**From:** Staggs, Bruce  
**Sent:** Tuesday, October 3, 2017 2:18:45 PM  
**To:** Riemer, George  
**Subject:** Use Of Comments Written By Defendants

Mr. Riemer,

With regard to number 1 - The answer is yes.

With regard to number 2 - The answer is yes.

With regard to number 3 - I had no intention of just putting the good comments in the binder. Of all the comments only two are negative. One has to do with the court security being too strict and the other has to do with the entire court being racial. This racial comment is balanced by a positive comment that states that as a judge I was totally nonbiased with regards to the color of a Defendants skin.

With regard to number 4 - I totally disagree that I cannot be unbiased simply because someone said something polite about me.

With regard to number 5 - Point taken

With regard to number 6 - Point taken

I thank you for your vast wisdom and knowledge. With what you have brought out point #5 makes total sense and what you brought out in #6 is what I suspected someone could possibly make a claim simply because they were originally written on paper supplied by the Court, much less anything else.

Following your comments, should I decide to put future comments in binder in the lobby, I will modify the comment sheet with a check box giving permission to have comments publicly disclosed.

I value your opinions immensely. That is why I come directly to the "source". If your opinion is "*abuse of the prestige of judicial office*" in #5 and "*these comments are court resources*" in #6 I am sure your colleagues on the Judicial Ethics Advisory Committee would view it the same way. With that said, while I'm very proud of the comments made, they will not be used.

Like I said "asking permission is much better than asking for forgiveness".

Again thank you for your valuable time.

Judge Staggs

**From:** Riemer, George  
**Sent:** Tuesday, October 3, 2017 12:35 PM  
**To:** Staggs, Bruce <bstaggs@courts.az.gov>  
**Subject:** RE: Use Of Comments Written By Defendants

Judge Staggs,

I see a number of issues with what you propose. Foremost among them are the following.

1. The comments appear to be solicited from defendants for the purpose of giving the court feedback – positive and negative – for the purpose of improving court operations, not for use in an election campaign.
2. Some comments appear to contain identifying information – names and telephone numbers. It is not clear that the people making comments understand their comments and identifying information will be public documents.
3. Displaying or posting only positive comments would be problematic, in my opinion. If a court wants to provide a public binder with comments received from the public, all comments should be in the binder.
4. Using a comment could require recusal the next time that person is in court on something else.
5. Rule 1.3 prohibits a judge from abusing the prestige of judicial office to advance his personal interests. Getting reelected is a personal interest. And using comments submitted for one purpose – court improvement – for another undisclosed purpose – reelection – would in my opinion constitute an abuse of the prestige of judicial office.
6. Rule 4.1(A)(8) prohibits a judge from using court staff, facilities, or other court resources in a campaign for judicial office. In my opinion, these comments are court resources.

I could go on, but the foregoing are significant enough issues to warrant your request being submitted to the Judicial Ethics Advisory Committee for further consideration if you are interested in pursuing the matter further. I am happy to submit it to the committee at your request, hopefully refined by your consideration of the foregoing list of issues, the most important of which for present purposes are items 5 and 6.

I am not sure I follow your last item about obtaining positive comments outside of court. You would be using court resources – the comments submitted to the court – to ask people to provide other endorsements. I still think that would be problematic under Rule 4.1(A)(8). The only reason you would be contacting them would be because of the comments they submitted to the court.

George A. Riemer  
Interim Staff Director  
Arizona Supreme Court Judicial Ethics Advisory Committee  
1501 W. Washington Street, Suite 229  
Phoenix, AZ 85007  
[griemer@courts.az.gov](mailto:griemer@courts.az.gov)  
602-452-3202

**From:** Staggs, Bruce  
**Sent:** Tuesday, October 03, 2017 11:31 AM  
**To:** Riemer, George <[GRiemer@courts.az.gov](mailto:GRiemer@courts.az.gov)>  
**Subject:** Use Of Comments Written By Defendants

Mr. Reimer,

I hope that I'm not taking too much your valuable time when I come to you with ethics questions. Please don't hesitate to inform me of such.

The old saying "It's better to ask for forgiveness instead of permission" definitely doesn't apply to a Judge with regards to ethics.

I am attaching 5 of the over 50 comments which Defendants have put in the comment box that we have lobby. I am humbled by many the ones my staff and I have received.

I would like to ask your opinion if it would be violating any ethics making these available to the public by:

1. Putting them in a binder and placing them out in the lobby
2. Posting them on the official Court website
3. Posting them on my personal Facebook page
4. Posting them on my re-election website

Due the fact that Court records are open to the public, following receiving permission from the Defendants, I don't see anything in the Canons that would violate any ethics putting the comments in a binder or posting them on the official Court website.

Honestly what I'm more concerned with, notwithstanding they are public records that anyone can request, I don't want to run the risk of an ethics violation should I post them either on my personal Facebook page or re-election website, because the comments were written while they were here at the Court.

Should your reply be that I cannot use them, should they be re-written outside of the Court at a later date, is there anything against the ethics of posting them on either my personal Facebook page or re-election website?

In this instance I believe it is much better to ask permission instead of asking for forgiveness the future.

Again if I ever take too much your valuable time please do not hesitate to inform me.

I'll be awaiting your reply.

Respectfully,

Judge Staggs



Judge Bruce Staggs  
***Justice of the Peace***, JP-3  
***Magistrate***, City of Benson  
126 W. 5<sup>th</sup> Street, Suite #1  
Benson, Arizona 85602  
(520) 586-8100  
(520) 586-8117 fax

***CONFIDENTIALITY NOTICE: This e-mail may contain privileged or confidential information and is for the sole use of the intended recipient(s). If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited and may be unlawful. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error and then delete it.***

May we post this comment in our lobby notebook ☒ Yes ☐ No

COMMENTS

Handwritten notes in the left column, including the word "COMMENTS" and several lines of illegible text.

Name: (optional) \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

May we post this comment in our lobby notebook ☒ Yes ☐ No

COMMENTS

Handwritten notes in the right column, including the word "COMMENTS" and several lines of illegible text.

Name: (optional) \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

May we post this comment in our lobby notebook ☐ Yes ☐ No



Exhibit #0-G



## Partisan Nomination Petition

Exhib. # 10-H



I, the undersigned, a qualified elector of the county of Cochise, state of Arizona, and of (here name political division or district form which the nomination is sought) JP-3 and a member of the Republican party or a person who is registered as no party preference or Independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby nominate Bruce E. Staggs who resides at P.O. Box 176, St. David, AZ 85630 in the county of Cochise for the party nomination for the office of Justice of the Peace to be voted at the primary election to be held August 28, 2018 as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Signature	Printed name	Actual residence address, description of place of residence or Arizona post office box address, city or town	Date of signing
1.	BRUCE E. STAGGS		8/7/17
2.			8/7/17
3.			8/7/17
4.			8/9/17
5.			
6.		1 2 3	
7.			8/9/17
8.			8/9/17
9.			
10.			8/10/17



# Re-Elect Bruce Stagg

Justice of the Peace, JP-3

## 2018 Candidate Endorsement



I am pleased to endorse Bruce Stagg as my 2018 candidate for the Justice Of The Peace JP-3.

	Signature	Printed Name	Address or business affiliation	Date of Signing
1		David Stagg		8/23/17
2		David Stagg		8/23/17
3				8/24/17
4		David Stagg		8/24/17
5		David Stagg		8/24/17
6		David Stagg		8/25/17
7		David Stagg		8/28/17
8		David Stagg		8/28/17

Exhibit #0-J

To whom it may concern,

I am a Court Clerk at Benson Justice Court #3 and have been employed as such for the last 21 years.

On April 24, 2018 Judge Staggs called me into his office. He showed me pictures of Exhibits 5A, 5B, and 8 which were 2 binders and a clipboard with a petition on it.

On April 24, 2018 these binders and clipboard were not present on Judge Staggs bookcase nor were they on his desk.

Judge Staggs opened all his desk drawers, and both cabinets and drawers of his two credenzas. Judge Staggs also opened his closet and bathroom doors.

I, D N, do affirm that the binders or clipboard with a petition (Exhibits 5A, 5B, and 8) were not present in Judge Staggs office on April 24, 2018.

Respectfully,

D N

April 30, 2018

Date

May 5, 2018

To Whom It May Concern,

Judge Bruce Staggs is our next door neighbor and a great one, too. Loves and respects his wife and does not drink or smoke and I have never heard him use profanity, and is always willing to serve his fellowmen.

When he was first elected a Justice of the Peace, we asked him if some day we could go listen to one of his cases and He said it was fine with him. About two years ago, Bonnie (his wife) and I went to his court room to listen to one of his cases but the defendant didn't show or was late, so he invited us to his office to show me what his office was like, on the way to his office he introduced me to his staff, in fact, A. N. was in her office, a long time acquaintance, we visited for a minute or so and proceeded to Judge Staggs office where we visited for a few minutes till his case show up. We went back to the Court room. At no time did we discuss any Court cases. As a matter of fact, I have a daughter that is a Justice of the Peace in Phoenix, ( ) and a Son in Law that is a Superior Court Judge in Phoenix also ( ). I know that Court cases are not to be discuss at any time.

Sincerely,

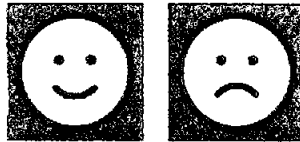
Mrs. M. M. -----

Staff

Exhibit #0-L

**Body and Soul Relaxations**

**How was your experience?**



**\$250.00**

**Custom Amount \$250.00**

**Total                \$250.00**

**Body and Soul Relaxations  
699 E LAKE DR  
BENSON, AZ 85602-6224**



Judge Bruce E. Staggs  
Justice of the Peace  
Precinct #3  
(520) 586-8100



Exhibit # D-m

126 W. 5<sup>th</sup> Street  
Benson, AZ  
Suite #1  
Fax: (520) 586-8117

July 2, 2015

To whom it may concern

Re: Vi            Gr

The following serves as my personal recommendation for Ms. Vi            Gr

I have served as the Justice of the Peace at the Benson Justice Court #3 since November 2014. Ms. Gr            is the criminal expert here at the Court where she assists me in all criminal related matters, both in and out of, the court room.

Ms. Gr            is meticulous at her job. She is very well organized and approaches projects with a seriousness of purpose in a systematic way and thus manages her time very effectively. Ms. Gr            is very proficient in gathering all the pertinent information necessary that is required to produce quality documents and also informing me of facts that assist me in my decision making that have a major impact on people's lives. She has demonstrated to me that she is able to handle a high-volume workload competently. Ms. Gr            carries out all of her work assignments efficiently, thoroughly and reliably with no need of supervision. I have found Ms. Gr            to be very consistent in her work and have noted that she does her best to improve all her skills, as and when, necessary. Ms. Gr            has shown me her ability to grasp overall general principles of her job description as well as all the subtle details involved her job description.

It is a shame that Cochise County has such a low pay schedule for Clerks. I am confident that if Ms. Gr            could be paid what her skills deserve she would not be seeking employment elsewhere. I'm convinced she will be as great an asset to your company as he has been to ours. Benson Justice Court #3's loss is someone else's good fortune.

In conclusion Ms. Gr            has demonstrated the professional capabilities that I'm confident will lead her to success in any career. As such I can recommend her to you without reservation.

Sincerely,

Judge Bruce E. Staggs  
Benson Justice of the Peace #3

7/2/15  
Date

# Bruce Staggs



Bruce Staggs is running on a conservative platform of honesty, integrity and being trustworthy. He was fortunate enough to have parents that taught him good morals and values by the great example they set. He believes that we are going away from the conservative morals and values that made this nation great. He is committed to improving the community especially when dealing the youth.

*Integrity... Trustworthy... Honesty...*

## A NEW BEGINNING FOR THE JP-3 DISTRICT

### Committed to Listen -

Bruce Staggs was a very successful Chiropractor in Scottsdale, Arizona. He was forced to retire due to a severe low back injury. He has had many years of training experience in listening to his patients. He will bring these listening skills into the court. He is committed to listen to both sides, to determine the truth.

### No Law Enforcement

**Background** - Bruce Staggs has no bias or prejudice that most officers develop from the negative encounters they experience on a daily basis.

### No Local Ties -

Bruce Staggs owes no favors to any person, political group or business interests. He is financing his own campaign so he will be free from all outside influences.

### Equal Justice For All -

Based on the circumstances, Bruce Staggs believes in leniency for 1st time offenders if they display remorse and if they are willing to accept full responsibility for their actions. Repeat offenders will be held accountable and leniency will not be considered for habitual offenders. Bruce Staggs believes in restitution and will make restitution to victims, that have been harmed, a high priority.

*Exhibit A O-N 1*

✓ **Integrity**

✓ **Trustworthy**

✓ **Honesty**

# Bruce Staggs



Bruce Staggs is running on a conservative platform of honesty, integrity and being trustworthy. He was fortunate enough to have parents that taught him good morals and values by the great example they set. He believes that we are going away from the conservative morals and values that made this nation great. He is committed to improving the community especially when dealing with the youth.

*Integrity... Trustworthy... Honesty...*

## A NEW BEGINNING FOR THE JP-3 DISTRICT

### **Willing to Listen -**

Bruce Staggs was a very successful Chiropractor in Tucson, Arizona. He was forced to retire due to a severe low back injury. He has many years of training experience in listening to his patients. He is committed to listen to both sides, to determine the truth.

### **No Law Enforcement**

**Background** - Due to not being a former officer, Bruce Staggs will come to a fair and impartial resolution, having no potential conflict of interest of automatically siding with law enforcement.

### **No Local Ties -**

Bruce Staggs owes no favors to any person, political group or business interests. He is financing his own campaign so he will be free from all outside influences.

### **Equal Justice For All -**

Based on the circumstances, Bruce Staggs believes in leniency for 1st time offenders if they display remorse and if they are willing to accept full responsibility for their actions. Repeat offenders will be held accountable and leniency will not be considered for habitual offenders. Bruce Staggs believes in restitution and will make restitution to victims, that have been harmed, a high priority.

Exhibit # 0-NZ

✓ **Integrity**

✓ **Trustworthy**

✓ **Honesty**

# JP-3 candidate cited for alleged trespassing after leaving pamphlet

**Thelma Grimes**

**SAN PEDRO VALLEY NEWS**

Bruce Staggs, a St. David resident running for Precinct 3 Justice of the Peace, will face a judge after being cited for criminal trespassing in the 3rd degree. Staggs' court date is set for July 27 in Sierra Vista.

Cochise County Sheriff's spokeswoman Carol Capas said Staggs was cited on May 26 after Sherry Behr, wife of long time Benson police officer Tim Behr, pressed charges.

Capas said Staggs allegedly ignored "no trespassing" signs on Behr's property located outside of city limits.

Staggs allegedly went onto Behr's property, and left a campaign pamphlet with their children, Capas said.

When questioned by sheriff's deputies, Staggs refused to answer questions.

Capas explained that while Staggs

was leaving campaign pamphlets, a no trespassing sign means no access.

Staggs had little comment on the charges, saying he feels they are politically motivated, and has submitted evidence to the judge to prove it. He declined to answer further questions.

Staggs, a Republican, is running against incumbent Justice of the Peace Joe Knoblock in the August primary election.

The case would have gone before Knoblock, but court records show he recused himself on June 1. The case was transferred to the Justice of the Peace court in Precinct 5.

Staggs has also met with Benson Police Chief Paul Moncada since being charged.

Asked about the encounter, Moncada said Staggs had requested the meeting before the May 25 incident.

During the meeting at the Benson

Police Department, Moncada said Staggs brought up the issue concerning officer Behr and his wife.

Moncada, not wanting the situation to turn into a campaign issue, said the Benson Police Department would work with whoever is elected, but did admit there was some disagreement with Staggs.

Moncada said Staggs requested a ride-along with all Benson police officers to assess their performance, which would help him rule in cases if elected.

Moncada refused the request, and has since talked with City Manager Glenn Nichols, Officer Behr and city prosecutor Ann Roberts about the conversation.

"We've all agreed to ignore it," Moncada said. "If Mr. Staggs is elected, and there appears to be a bias against Benson Police officers,

See CITED, A7

I would take appropriate action at that time. The meeting was to discuss his campaign, when he called originally, it was not to discuss the citation."

Knoblock and Staggs are

also facing local barber Eliot Montijo on the Republican ticket in the primary election.

The winner in August will move on to face Independent candidate Virgil

Judd, and Democrat Marv Sorensen.

Judd and Sorensen have run for the Justice of the Peace seat in former elections.

Exh. bit # 0-P

[illegible]

Exhibit # D-Q

James L. Conlogue  
Presiding Judge  
Division V



Superior Court  
Cochise County

P.O. Drawer CJ  
Bisbee, Arizona 85603  
(520) 432-8480  
Fax (520) 432-8488

MEMORANDUM

TO: Al N  
FROM: James L. Conlogue, Presiding Judge  
DATE: September 8, 2017  
SUBJECT: Temporary Assignment

Due to the friction currently existing between you and Judge Staggs, you are temporarily assigned to Justice Court, Precinct Five until further notice. Your current salary and benefits shall remain the same. The Judicial Merit Rules shall continue to apply throughout your employment in the Judicial Branch. Your work hours shall be from 8:00 a.m. until 5:00 p.m. on all court days. You shall be subject to the direct supervision of and Judge Dickerson. The previous offer related to the temporary assignment is withdrawn. This temporary assignment is effective September 10, 2017 and you shall report to Justice Court, Precinct Five on Monday, September 11, 2017 at 8:00 a.m.

I, Al N, acknowledge receipt of this Memorandum:

Al N

September 8, 2017  
Date

xc: Judge Staggs  
Judge Dickerson  
Judge  
Tl Rc

Exhibit # D-R1

Judge Bruce E. Staggs  
Justice of the Peace  
Benson Justice Court, JP-3  
(520) 586-8100  
Fax: (520) 586-8117



126 W. 5<sup>th</sup> Street  
Suite #1  
Benson, AZ 85602  
BensonJusticeCourt  
@courts.az.gov

Cochise County Superior Court Administration

Attention Ms. R

Re: A      N

Dear Ms. R      ,

Enclosed you will find documents regarding our discussion on the phone earlier today.

History behind this is as follows;

On Monday, July 10, 2017 I received an email from      regarding registration fees for the 2017 annual Justice of the Peace Conference in Prescott Arizona. The seminar dates were from September 6, 2017 to September 8, 2017. I immediately gave that email to then Court Manager, A      N      and put a post it note on the email instructing Ms. N      to pay the registration fee.

Last month, to my surprise, I was notified by my new Court Manager, Cl      E      , that A      had forgotten to notify Cochise County to pay the \$190.00 fee. I am assuming there wasn't time to requisition a payment and due to that that Ms. N      took it upon herself to purchase a \$190.00 money order. I was never made aware of it until Ms. E      brought to my attention. I instructed Ms. E      to reimburse Ms. N      is this was a valid seminar expense.

I signed off on the reimbursement today. Per your instruction I'm sending you the documentation.

Respectfully,

\_\_\_\_\_  
Judge Bruce E. Staggs      *OP*  
Benson Justice of the Peace, JP-3

January 17, 2018  
Date



Exhibit #D-R2

From:

Sent: Monday, July 10, 2017 12:36 PM

To: Ambrose, Adam

; Vildosola, Alma

> Staggs, Bruce

> Skiles, Michael

; Dickerson, Timothy

Ward, Trevor

> Subject: JP CONFERENCE

Importance: High

Hi all! Well we are into July now and I have been taking in registrations for the conference. If you haven't sent in your registration form to me, please do so. I know that several of you are on the rooming list and I haven't received your registration yet. For those of you that have responded, please disregard this notice. Thank you. And I am looking forward to seeing you in Prescott.

Finance Manager

AZ. Association of Counties

602-252-6563 ext 221

A. please  
pay. ~~It~~ It  
needs a check as  
they don't accept  
VISA or MC. My  
personal check also  
needs sent.  
Judge

SOUTHEASTERN ARIZONA FCU  
1600 N PAN AMERICAN AVE  
DOUGLAS AZ 85608  
Phone: (800)647-9300  
Fax: (520)364-2967

Date: 08-18-2017 14:30 TLR: AMG  
Eff Dt: 08-18-2017 SEQ: 9

Acct# 11686 LAYNE D NELSON

TRANSACTION	INT	POST AMT	NEW BAL
Money Order:		190.00	
Money Order Fee:		0.75	
Wth: S-15		-190.75	
Avl Bal:			

MD/SH/

Signature

YOUR CREDIT UNION  
IT'S WHERE YOU NEED TO BE

18-17  
\$190.00  
NEGOTIABLE #1  
Benson, AZ  
TOMER COPY 55402

144992

91-74573221

PERSONAL  
MONEY ORDER

BRUCE STAGGS  
1900 N. 5th St.  
Benson, AZ 85602  
Date: 8/18/17  
Amount: \$ 50.00  
Pay to the order of: Justice of the Peace Association  
\$50.00 (100 Dollars)

11149920123221745751

05016001691

**SOUTHEASTERN ARIZONA FCU**  
FEDERAL CREDIT UNION

**MONEY ORDER**

Pay to the order of: Justice of the Peace Association \$ 190.00

For: Bruce Staggs

NOT VALID OVER \$1000.00

Signature of Member: Benson, AZ  
Address: 1900 N. 5th St.  
City & State: Benson, AZ 85602

Exh. bit 40-23 144992

8-18-17

91-74573221

Judge Bruce Staggs  
P.O Box 176  
St. David, AZ  
85630

May 10<sup>th</sup>, 2018

RE: Judge Bruce Staggs

To Whom It May Concern:

It has come to my attention that a complaint has been filed against the Honorable Judge Bruce Staggs. In response, this letter addresses Ms. A. N.'s unprofessional behavior, which I observed during my tenure at the Benson Justice Courts. On a consistent and regular basis Ms. N. engaged in unprofessional work place practices from October 2016-December 2016. In and out of the office, she openly criticized Judge Bruce Staggs. She did this whenever Judge Staggs was not present. Ms. N. would regularly engage other court workers to influence them and undermine the authority of Judge Staggs. Her behavior cultivated an environment of disrespect, enmity, and hostility towards the Judge and degraded organizational good order and discipline. Judge Staggs was unaware and had no knowledge of her activities. Judge Staggs always and consistently maintained the utmost professionalism. He is unbiased, fair and promoted equal opportunity within our organization. He is a consummate professional and consistently promotes himself in a professional manor during my tenure. He is a strong leader, sets a professional standard and is an example for all to follow.

Please feel free to contact me if you have any further questions.

Very Respectfully,

**Staggs, Bruce**

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**From:** S T  
**Sent:** Thursday, May 3, 2018 8:47 AM  
**To:** Staggs, Bruce  
**Subject:** Access Control

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Per your request, I have reviewed which individuals on your staff have after hours access to your office/chambers. After researching the "System Link" access control system employed at your court, I have found there are two individuals with 24/7 access. These individuals are yourself, and your Chief Clerk. Please let me know if I can be of any further assistance to you.

Chief of Security  
Cochise County Courts  
Phone (520) 432-8516  
Cell  
Fax (520) 432-5835



COCHISE COUNTY  
JUSTICE COURT PRECINCT 1

REQUEST FOR COURT RECORDS

Pursuant to Rule 29, Rules of the Supreme Court, and the Supreme Court Records Retention and Disposition Schedule, certain records may not be available.

☒ I acknowledge and understand that a Research Request Fee of \$25.00 will be charged for each name search, up to three names or three separate cases (a separate form is required for each name request,) and additional fee(s) will be assessed for copies or certification of case information. Requests for records that are not in the active files will be charged an additional \$25.00 Clerk Fee. Requests for court records for commercial purposes shall be assessed a Clerk Fee of \$25.00 per record.

☐ I am the court appointed attorney on this case

I Request: ☐ View only (No fee)  
☐ Copies only (\$25.00 Research Fee plus \$.50 per page)  
☐ Certification (\$25.00 per certification plus all other applicable fees)  
☒ Audio/CD (\$25.00 per CD)  
☐ Duplication of a record (DUI Packet/Court Abstract) - \$25.00

of the following court records:

Name M C

Date of Birth \_\_\_\_\_

① Address Trial Date 10-14-10

② Arraignments 8-11-17 - CR

Case # CR 201600100

③ Date of Incident Arraignments 3-29-16 Type of charge \_\_\_\_\_

Other information \_\_\_\_\_

My relationship to this individual is N/A

These documents are for:

☒ Personal, non-commercial use. I am aware of the penalties for conversion to commercial use.  
☐ Commercial use. I certify that the specific use to which these documents will be put is:

Signature of Requestor \_\_\_\_\_

Date \_\_\_\_\_

Telephone number of Requestor \_\_\_\_\_

Court Fees: Research Fee \$25.00  
 Clerk Fee \$25.00  
 Certification Fee \$25.00 per case  
 Programming Cost \_\_\_\_\_  
 Audio/CD \$25.00 each \_\_\_\_\_  
 Copies \$.50 per page \_\_\_\_\_

Total Due \_\_\_\_\_

Clerk initials CE  
 Date Completed \_\_\_\_\_

Exhibit #0-02

JUSTICE COURT NO. THREE, 0203, 520-586-8100  
126 WEST 5TH ST., SUITE NO. 1, BENSON, AZ 85602

DATE: 01-25-2018

TIME: 12:01:16

CHECK:

CASH:

CREDIT:

CHANGE:

RECEIPT #: J 000108060

\$0.00

\$26.00

\$0.00

\$0.00

RECEIVED OF:

MEMO: AUDIO/CD

BY CLERK: D.N.

CASE NUMBER	EVENT/SERVICE	AMOUNT
J-0203 -CR-0020160060	5961 PYMT: RECORD DUPLICATION	\$26.00
ST OF AZ VS C	M	
PARTY: C	M	
TOTAL RECEIPT...		\$26.00

COCHISE COUNTY  
JUSTICE COURT PRECINCT 3

# REQUEST FOR COURT RECORDS

*Pursuant to Rule 29, Rules of the Supreme Court, and the Supreme Court Records Retention and Disposition Schedule, certain records may not be available.*

51 I acknowledge and understand that a Research Request Fee of \$25.00 will be charged for each name search, up to three names or three separate cases (a separate form is required for each name request,) and additional fee(s) will be assessed for copies or certification of case information. Requests for records that are not in the active files will be charged an additional \$25.00 Clerk Fee. Requests for court records for commercial purposes shall be assessed a Clerk Fee of \$25.00 per record.

       I am the court appointed attorney on this case

**Request:** View only (No fee)  
☒ Copies only (\$25.00 Research Fee plus \$.50 per page)  
Certification (\$25.00 per certification plus all other applicable fees)  
Audio/CD (\$25.00 per CD)  
Duplication of a record (DUI Packet/Court Abstract) - \$25.00

**of the following court records:**

Name M C Date of Birth \_\_\_\_\_

**Address** \_\_\_\_\_

Citation/Docket # \_\_\_\_\_ Case # CR 20160060

Date of incident \_\_\_\_\_ Type of charge theft

Other information \_\_\_\_\_

My relationship to this individual is none

**These documents are for:**

☒ **Personal, non-commercial use.** I am aware of the penalties for conversion to commercial use.

Sara Herman

Signature of Requestor

Telephone Number of Requestor

Date

**Court Fees:** Research Fee \$25.00  
Clerk Fee \$25.00  
Certification Fee \$25.00 per case  
Programming Cost  
Audio/CD \$25.00 each  
Copies \$.50 per page

**Total Due**

Clerk initials \_\_\_\_\_  
Date Completed \_\_\_\_\_



Exhibit D-V2

JUSTICE COURT NO. THREE, 0203, 520-586-8100  
126 WEST 5TH ST., SUITE NO. 1, BENSON, AZ 85602

DATE: 01-29-2018  
TIME: 13:38:38      CHECK:      CASH:      CREDIT:      CHANGE:  
RECEIPT #: J 000108099      \$0.00      \$30.50      \$0.00      \$0.00  
RECEIVED OF: SARA HERMAN      MEMO: PAID COPY & RESEARCH FEE  
BY CLERK: D.N.

CASE NUMBER	EVENT/SERVICE	AMOUNT
J -0203 -CR -0020160060	5964 PYMT: RESEARCH/LOCATE DOC	\$26.00
ST OF AZ VS CI		
PARTY: C M		
J -0203 -CR -0020160060	5942 PYMT: COPIES PER PAGE	\$4.50
ST OF AZ VS CI		
PARTY: CI M		
TOTAL RECEIPT...		\$30.50

Received On

Exhibit # D-W

JAN 18 2018

BRIAN M. MCINTYRE  
Cochise County Attorney  
P.O. Drawer CA  
Bisbee, Arizona 85603  
(520) 432-8700

Date 1/18/18  
Accepted 210 Rejected 0

Ann P. Roberts  
Deputy County Attorney  
State Bar No. 018233

BRUCE E. STAGGS  
Justice of the Peace #3

IN THE JUSTICE COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCHISE, PRECINCT NO. THREE

STATE OF ARIZONA, )  
 )  
Plaintiff, ) Case No.: CR & CR  
 )  
vs. ) Misdemeanor Plea Agreement  
 )  
M C \_\_\_\_\_, )  
 )  
Defendant. )

The defendant agrees to plead guilty to the following offense(s):

**THEFT** in violation of A.R.S. §13-1802A1, a class 1 misdemeanor,  
committed August 2, 2017.

on the following understandings, terms and conditions:

Each misdemeanor carries the following maximum possible sentence:

Class 1: 6 months jail, 3 years probation, \$4500.00 fine plus surcharges  
Class 2: 4 months jail, 2 years probation, \$1350.00 fine plus surcharges  
Class 3: 30 days jail, 1 year probation, \$900.00 fine plus surcharges

MC 1. The Defendant agrees to a sentence of:

120 days in jail suspended if defendant remains law abiding for 6  
months and participates in treatment.

MC 2. The following charge is dismissed, or if not yet filed, shall  
not be brought against the defendant.

**SHOPLIFTING/CONCEALMENT** in violation of A.R.S. §13-1805A5, a class 1  
misdemeanor, committed July 14, 2017.

**Attachments:** [Resignation Letters.PDF](#)

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**From:** Bruce Staggs <Bruce@BruceStaggs.com>

**Sent:** Wednesday, August 29, 2018 7:02 AM

**To:** >

**Subject:** Judicial Complaints

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. ,

I apologize that I don't have the case numbers in the subject line above as they are at the Court.

I have received the resignation letters of both Sara Herman who submitted the first complaint and of D Si that wrote a statement for Ms. E in the 2nd complaint.

Both of these resignation letters don't mention any problems whatsoever and totally contradict the statements that were made in the complaints.

If it is not too late I would like to have them added to the files.

Respectfully,

Judge Bruce Staggs

Sara Herman

May 22, 2017

Judge Bruce Staggs  
Benson Justice Court  
126 W. 5<sup>th</sup> St.  
Benson, AZ 85602

Dear Judge Bruce Staggs:

It is with a heavy heart that I submit my resignation. The last 2 years at Benson Justice Court have been wonderful. I have learned so much working in this office and would have never dreamed of working with such a wonderful people. However, I have decided that I am accepting a management position at the salon. I feel that this is the best decision I can make for me and my family at this time.

My last day at Benson Justice Court will be June 2, 2017. I would be happy to meet with you at your convenience to discuss if that date works well for you and the office. I do not want to cause problems with my resignation and wish a smooth transition for the Court as a whole.

I wish the Court and all its employees much success in the coming years.

Sincerely,

Sara Herman  
Court Assistant