

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-087

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Judge:

Complainant:

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The complainant alleged a superior court judge improperly denied a motion to remand to the grand jury.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Dated: May 16, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie  
Executive Director

Copies of this order were distributed to all appropriate persons on May 16, 2018.

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

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

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

Signature: \_\_\_\_\_

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

### INSTRUCTIONS

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

I	AM MAKING A FORMAL COMPLAINT
AGAINST	JUDGE
DENIED MY LAWYER	MOTION TO REMAND
FOR NEW FINDING OF PROBABLE CAUSE	ON
AND IN SO VIOLATED RULE 32.8 OF THE PRE-TRIAL PROCEDURES AND MY RIGHT TO AN EVIDENTIARY HEARING EVEN THOUGH THERE IS AMPLE EVIDENCE TO SUPPORT THE GRANTING OF THIS MOTION.	
THE INDICTMENT ORDERS FOR	
WERE READ ON	I WAS
TAKEN INTO CUSTODY ON	THE SUPER-VEINING INDICTMENT PROCEEDING WAS HELD ON
WITHOUT ANY PREVIOUS INDICTMENT RECORD	
WITH	JURORS PRESENT, AND THEN RECONVENED AGAIN
WITH ONLY	JURORS RETURNING WHO VOTED A
TRUE BILL WHICH WAS FILED ON	IN
CLEAR VIOLATION OF RULE 13.1 TIMELINESS.	
I FEEL THAT THE INTERESTS OF JUSTICE WERE NOT BEING SERVED IN THIS MATTER AND JUDICIAL	

CONDUCT WAS VIOLATED. UNDER THE RULES OF THE SUPREME COURT, JUDICIAL ETHICS, JUDGES SHOULD STRIVE TO EXCEED THE STANDARDS OF CONDUCT ESTABLISHED BY THE RULES AND HOLD THEMSELVES TO THE HIGHEST ETHICAL STANDARDS ENHANCING THE DIGNITY OF THE JUDICIAL OFFICE. THE RULES SHOULD BE APPLIED CONSISTENTLY WITH "CONSTITUTIONAL REQUIREMENTS", STATUTES, AND OTHER COURT RULES AND DECISIONAL LAW. EVEN THOUGH THE RULES SHOULD NOT BE INTERPRETTED TO IMPINGE UPON THE ~~ESSENTIAL~~ INDEPENDENCE OF JUDGES IN MAKING JUDICIAL DECISIONS THAT ARE JUST AND CONSTITUTIONAL, THEY ARE THERE TO MAKE SURE THAT THE JUDGE SHALL COMPLY WITH THE LAW.

WHILE I DO NOT PRESUME TO UNDERSTAND REASONS FOR DENYING THIS MOTION TO REMAND, I DO KNOW THAT IT WAS A VIOLATION OF JUDICIAL ETHICS; DUE PROCESS; AND MY CIVIL RIGHTS. FURTHERMORE I FEEL THAT THERE IS CRIMINAL CONTEMPT INVOLVED, AND THAT ~~HE~~ SHOULD BE DISQUALIFIED FOR A VIOLATION OF RULE 33.4(B).

THIS IS AN UNFORTUNATE SITUATION BECAUSE I WAS SENTENCED TO ~~IN PRISON~~ ON THIS MATTER AT TRIAL AND I PRAY THAT YOU FIND THAT THIS COMPLAINT WARRANTS MERIT AND ADDRESS IT ACCORDINGLY. THANKING YOU FOR YOUR ANTICIPATED CONSIDERATION AND HOPING TO HEAR FROM YOU SOON, I REMAIN

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