

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-097

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge failed to rule timely, violated his constitutional rights, and made improper rulings in his criminal proceedings.

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 23, 2018

Copies of this order were distributed to all appropriate persons on May 23, 2018.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2018-097****COMPLAINT AGAINST A JUDGE**

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

SYNOPSIS OF CONCERNS:

1.) FAILURE TO ADDRESS DEFENDANT'S CONCERNS WITH REGARDS TO COUNSEL APPOINTMENT BY THE COURT, INEFFECTIVE ASSISTANCE OF COUNSEL, INEFFECTIVE ADVICE, PROFESSIONAL MISCONDUCT & POOR PERFORMANCE OF COUNSEL.

2.) VIOLATION OF DEFENDANT'S CONSTITUTIONAL RIGHT TO SUFFICIENT NOTICE TO ALL COURT HEARINGS

3.) VIOLATION OF DEFENDANT'S CONSTITUTIONAL RIGHT TO ACCESS TO THE COURT; ACCESS TO A LAW LIBRARY OR ADEQUATE LEGAL ASSISTANCE.

4.) FAILURE TO PROPERLY MAKE TIMELY DECISION ON DEFENDANT'S PRE-TRIAL MOTIONS.

5.) ABUSE OF DISCRETION; ADVERSE - INTERFERENCE INSTRUCTIONS TO COUNSEL AND ADVISORY COUNSEL.

6.) FAILURE TO BRING FAIR & JUST TREATMENT OF AN ACCUSED RIGHT TO A PRELIMINARY HEARING.

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7.) Failure in responsibility of "Protective Duty" of a Trial Judge; not properly addressing specific issues regarding tampering with evidence.

8.) Failure to rule on evidence and authenticate evidence as provided by Rules of Criminal Procedures.

9.) Abuse of discretion; allowing App. Counsel to sit in defense of Hearings on Defendant's Pre-Trial motions after issuing non-contestable instructions that barred participation on any motions filed by Defendant as a pro se litigant.

10.) Failure to state every possible strategic challenge to a Defendant proceeding pro se.

11.) Failure to uphold judicial standards, statutes, laws and rules of criminal procedures.

12.) Abuse of power & discretion; ruling on Pre-Trial motions because Defendant made a claim of non-sufficient notice to a Hearing Change, unpreparedness and unfairness, shows prejudice on the part of Trial Judge.