

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-152

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge denied him the right to counsel and made various improper evidentiary rulings in his criminal case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 a judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officer 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: July 31, 2018

Copies of this order were distributed to all appropriate persons on July 31, 2018.

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

RE: Judicial Complaint

ONE -

COMP

2018-152

DEFENDANT,
NOW COMES

EXPOSING JUDICIAL MISCONDUCT BY

JUDGE, ALLOWED THE
to withhold, and NOT COMPEL, to disclose
EXCULPATORY META DATA IN MY CASE, FOR DISCLOSURE, NOR INSPEC-
TION. JUDGE REFUSED TO

FOR

MATERIAL EVIDENCE.

ASSISTANT COUNTY ATTORNEYS
COURT
ARRAIGNMENT IN

"Brady
DENIED IN OPEN
"IN DEFENDANT'S INITIAL

ASSISTANT COUNTY ATTORNEY
disclose the AUDIO VIDEOS, DASH CAM, NOR BODY MIC DATA AS
WELL TO DEFENDANT, & VOWED HE WOULD NEVER
IS OVER THE

COURT PROCEEDING

By UNIT had been "CONTRADICTING THE
SWORN IN COURT DENIAL by AFORESAID COUNTY ASSISTANT
ATTORNEY NEGATIVE AFFIRMATION"

Judge ORDERED
SHERIFF DEPARTMENTS HARD DRIVES FROM
PATROL VEHICLES BY DEPUTY

to TURN OVER ACCESS TO
AND THE DEPUTY

TWO.-

Judge. ALSO ORDERED THE
 TO TURN OVER Deputy PERSONNEL
 FILE. Judge FORCED DEFENDANT TO REPRESENT HIMSELF.
 NONE OF THE ASSIGNED PREVIOUS COUNSELS RAISED THE
 AUDIO VIDEOS BRADY MATERIAL EVIDENCE BEFORE COURT AT ALL!
 DEFENDANT WAS FORCED TO REPRESENT HIMSELF IN HIS
 SECOND EVIDENTIARY HEARING. Judge AFTER DEFENDANT
 ARGUED STATE HAS AN OBLIGATION TO
 TO " Judge.
 ASSIGNED PUBLIC STATE APPOINTED COUNSEL
 TO REPRESENT DEFENDANT. WHO WAS INEFFECTIVE LIKE OTHERS.
 IN A FINDING IT WAS CONCLUDED THAT THE
 INVESTIGATION RECOMMENDED TERMINATION
 OF Deputy WHOM WAS FOUND TO HAD
 HIS PATROL VEHICLE AUDIO AND VIDEO DASH CAM
 RECORDING EQUIPMENT HAD NOT WORKED, AND WAS BROKEN OVER
 BY THE OWN
 INTERNAL INVESTIGATION, AND FINDING.
 A MOTION TO ALLOW DASH CAM AND BODY MIC META DATA
 WAS FILED BY COUNSEL
 FINDINGS FOR OVER " WHOM WITHHELD THE
 DENIED BY Judge " FROM DEFENDANT.
 AND HE FILED SOONER " TOLD COUNSEL
 " REGARDLESS OF THE SPOILATION OF EVIDENCE FINDINGS.
 DENYING THE RIGHT TO INSPECT THE META DATA, Judge
 ALSO SAID "
 " THE DENIAL DENIED THE DEFENDANT RIGHT TO CONFRONT
 AND INSPECT ALL EVIDENCE THE " BY LAW
 MUST ALLOW DEFENDANT TO INSPECT AND INVESTIGATE UNDER BRADY-

THREE- DOCTRINE.

Defendants Counsel was w as the other several counsels assigned to case priorly in the refusal to secure or mention the Meta Data from the Computers in Patrol Vehicle; "in Hard Drives, that were" "by

to Private Investigator
Defendant Litigated E-MAIL PROOF before Judge. that
the they had no "Equipment to Private Investigator EMAIL IN Exhibits on Case Herin.

Judge denied to testify and struck him from the DEFENSES witness list. Defendant to call a witness against Judge denied
" Defendant Filed on Record to expose the Audio Video Dash Cam Body Mic Evidence and threatened to mis-trial cases trial if the Defendant "

During trial Defendant Filed a Motion to Compell State to allow inspection of the Patrol Cars Hard Drives. Judge.

with no case law citings after he had vinclined doing so when he forced Defendant to represent himself in evidentiary, before assigning Aforesaid Counsel

who was assigned and did " Adversarily upon gaining findings; he withheld from Defendant. This Counsel " he mailed Defendant a copy "yet/ couldn't produce a certified mailing receipt.

The Judge in trial refused Defendant Counsel after the Defendant requested Counsel a second time.

FOUR.- Judge ordered then advisory counsel to
take over litigation. Counsel refused stating
and he'd have to go to the Judge
then threatened Defendant egregiously.

Defendant reluctantly proceeded.

Defendant exposed to Court Deputy
illegally accessed his cell phone by
Defendant proved also that Deputy
his testimony concerning his Dash Cam and video equipment
didn't work by internal findings.

The findings exposed
had an accident
after initial illegal stop on
The recommended termination of
and refused truth analysis of
test and swore he would resign first and did so.

Solicited perjured testimony in Defendant's
evidentiary hearing knowing of the before

testified a second time perjured his
recording didn't work

before Judge: Again, with Judge stating
in evidentiary the credibility of the witness was
at hand when at evidentiary Defendant "produced
mitigating factors before trial and
entire surfaced.

Judge alleged to solicit false testimony
from and stated were
hearsay! 11

FIVE

Judge. ALLOWED perjury by inconsistent statements to be entertained to the jury, knowing the State witness to be UNCREDIBLE. (1)

Judge REFUSED to ORDER to TURN OVER AND AS WELL. Swore his Dash Cam audio video equipment was OFF. The WATCHGUARD Systems automatically turned ON by starting the Patrol Car vehicle.

Judge DENIED Defendant to play the in exhibits he agreed to and allowed to use a recording after he told Defendant he could. This denied defendant exhibits evidence in his trial already entered. The State use a defendant (guilt) complaining about. Falsified testimony of how he gained in exhibits evidence from Defendant's shoes violating: OF

Admitted he, (Conflicting his Probable Cause Affidavit)

Deputy Swore in his Deposition he REMEMBERED Defendant was ORDERED to AFTER Pulled Defendant OUT OF. Already secured.

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

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