

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-164

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge improperly denied him the right to represent himself in a criminal proceeding.

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).

Commission member George H. Foster, Jr. did not participate in the consideration of this matter.

Dated: August 23, 2018

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

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2018-164

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 record.

on Defendant was denied the right
to be proper to build a defense for trial by Judge
of whom is also in defendant's civil suit

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Defendant was very adamant about
going proper because attorney's would not do
as he instructed them to strategically, to build
his defense.

The Judge Denied Defendant His 6th
amendment Constitutional right to self
representation under the U.S. Const. amend-
ment 6; 28 U.S.C.A. § 1654; and the Federal Rules
of Crim. Proc. Rule 44, 18 U.S.C.A.

Defendant expresses this right under the
Faretta v. California, 422 U.S. 806 (1975)
Mandate; a defendant in a criminal trial has a
Constitutional right to proceed without counsel
when he voluntarily, and intelligently elects to do
so, and that the state may not force a lawyer
upon him when he insists that he wants
to conduct his own defense.