

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-293

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge denied his right to an adjudicative hearing, denied his constitutional rights and intimidated him.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Dated: January 9, 2019

Copies of this order were distributed to all appropriate persons on January 9, 2019.

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

(1) To: State of Arizona
 Commission on Judicial Conduct
 1501 W. Washington Street, Suite 229
 Phoenix, Arizona 85007

My name is (PAC
 Ben/Pho-Sc) and it has become a necessity
 to file an official complaint upon the
 presiding judge in my case. I intend to
 inform the Commission that I have suffered
 Judicial Misconduct on separate counts of
 Unconstitutional Behavior.

1) firstly, my right to an adjudicative hear-
 ing was denied with explanation.

2) Secondly my 6th amendment was violated
 when the judge refused to respond or put
 in writing the nature and cause of the
 action being held against me.

3) thirdly I will show the Commission
 that the courts has violated my Due Process.
 while failing to inform me of the subject matter
 jurisdiction of the law and statutes that have
 me

4) Lastly I will inform the Commission
 of the intimidation that judge
 has used to try and persuade me towards

(2)

his ill advised pre-judgment. that
would only result in my demise and further
inflation of judge. inflated
egocentric misconduct.

(A)

Denied Petition for adjudicative hearing.

on I Petition for adjudicative hearing, it
was at Error of the Court and the Judge who
failed to Schedule or hold the hearing. To even
further Violate the law and my rights the
Judge did not Respond in written or Verbal
fashion as to the outcome of my Petition.
I recieved no written declaratory order of
determination of the status in regards to
my Petition. The Courts failed to disclose
the finding of facts and conclusions of law
to establish the Agency record. upon receipt
of my petition for the Adjudicative hearing the
respondent had to Schedule the hearing
and to actually hold the hearing
on A full since the Court
recieved the Petition for adjudicative
hearing I was finally given back a denied
Motion that I filed after the Courts went
into default in the middle of.
Well pasted the. They had to respond

(3)

However mere denials will not suffice as an answer and will be considered a non response. Any reply to the Petition other than to schedule the requested hearing, puts the courts into a default as they agreed upon the petition (See federal Rules of Civil Procedure Rules 8(d) and 12(g) and (h) in the ARIZONA Constitution the fact that I cannot be granted an adjudicative hearing is made even worse by a Judge who refuses to even acknowledge my petition for such a hearing. I wish to file this formal complaint against Judge based on this fact. for the proof the courts neglect to respond and grant to my petition, please refer to the Audio transcripts and minutes from

(B) Throughout my case I have been the victim of Judge lack of compassion and care for the U.S and AZ Constitution, repeatedly my 6th Amendment 5th Amendment and fourteen Amendment has been violated. on please refer to the Audio transcripts and the minutes of my court proceedings on the court recorded records.

(4)

It clearly shows that I am telling the Judge that he is violating my rights of the U.S. Constitution and the 6th Amendment.

Judge ignores me completely and refuses to give me a verbal or written response.

The Audio transcripts and minutes will prove that I was and continue to be uninformed of the nature and cause of the action being held against me. The audio transcripts and minutes will also prove that I specifically was not ready to move forward to trial until I had in writing the nature and cause of the action against me.

Then Judge heard my multiple request not to move forward for failing to put in writing what law and jurisdiction the court was acting under.

I explain to the Judge that I am Pro-per/Pro-se and I need to know which law the court was operating under in order for me to gather the necessary literature to properly defend myself. At that point I told the Judge that his lack of written or verbal response was violating my 6th Amendment right and was in violation

(5)

To my Due Process. However Judge
without speaking or acknow-
ledging me in the slightest form other
than showing his frustration and anger
through his universal signs of body
language that could only be interpreted
as his consideration of me as a
nuisance that did not deserve his time
or Verbal or written response. At that
time Judge continued to deny
my request and ignore my Accusations
of being Violated and denied my Due
Process, and set the trial date in my
Case with full knowledge that he had
not allowed me my Constitutional
right to prepare myself for such a
trial. On these grounds I respectfully
request the Commission to investigate the
truth responsible for this misconduct.

This Judge clearly
has a bias against me that has
brought forth such an Anger that he does
not want to allow me my Constitutional
Rights. It is my understanding that the
Commission cannot assist me in having

**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.**