

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-408

Judge:

Complainant:

ORDER

The Complainant alleged a superior court commissioner improperly aggravated his sentence in one criminal case and improperly refused to dismiss a second criminal case.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Dated: May 15, 2019

Copies of this order were distributed to all appropriate persons on May 15, 2019.

CONFIDENTIAL

State of Arizona

Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2018-408**COMPLAINT AGAINST A JUDGE**

Your name

Judge's name:

Date:

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

In defense filed a motion under
the state responded and ruled
alleged priors must be proven to aggravate or
enhance any sentence in aforementioned case. The
state opted to not prove any prior convictions
and in open court stated they didn't have any
aggravating factors other than pecuniary gain
which a jury found. then proceeded to
sentence me to the maximum sentence using as
an aggravating factor the same allegations he
ruled the state must prove. In
the state submitted a motion to dismiss the
charge against me after the alleged victim brought
a police report from county
exonerating me from any wrong doing and
denied their motion. This man
is anything but impartial and in fact his
erroneous judgments in regards to myself
in fact show him to be highly prejudicial,
if not incompetent to be sitting on the
bench doling out what amount to be life
sentences like Halloween candy.