

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 07-101

---

Complainant: No. 1308000526A

Judge: No. 1308000526B

---

**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised are legal or appellate in nature, and the more appropriate remedy would be to appeal the judge's decisions to a court with proper jurisdiction.

The commission is not an appellate court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: May 2, 2007.

FOR THE COMMISSION

/s/ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on May 2, 2007.

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

On [redacted] my son [redacted] had a trial scheduled in front of Judge [redacted]. The first of many improprieties was on this date. Judge [redacted] deemed it proper to speak to my son's probation officer on speakerphone in front of a courtroom full of people, including the alleged victim, about his last drug test results. I consider this a violation of my son's rights considering it had nothing to do with the case that was being presented before him. As it was there was more than reasonable doubt and he was still convicted. An appeal has been filed.

I have been told by a number of attorneys that this particular judge does not like kids on drugs and will rule accordingly. How do I know that this blatant disregard for my son's privacy did not influence his decision the answer is - I don't.

On Monday [redacted] a restitution hearing was held on this same case to determine the validity of an estimate submitted by the alleged victim on the day of the trial. To my shock and amazement the alleged victim sold the car in question the previous weekend. How can an alleged victim sell what I would consider the main piece of evidence in a auto theft case. If an alleged victim is coming to court with an estimate of damages shouldn't the car be available to verify that these damages actually existed? Apparently Judge [redacted] does not believe you actually need evidence to make a decision because he believed the alleged victim actually sold the car, even after the alleged victim was asked to produce a bill of sale and could not. My attorney asked the alleged victim why it is you were able to bring the estimate to the trial but cannot provide a bill of sale at the restitution hearing. The alleged victim said it was at home. In addition to this the alleged victim told the Judge that he put new tires new stereo and upgraded his A.C in the car. Without proof of any of the previous mentioned things the Judge added this to the total to be paid back. Is it a coincidence that the alleged victim sold the evidence the weekend prior to the restitution hearing? Is it a coincidence that the total he wanted in restitution was now more than the actual damage estimate, which was originally submitted to the court.

Shouldn't the Judge have demanded Proof of Sale? Shouldn't the Judge have demanded proof of new tires, radio and AC upgrade? These questions need to be answered

It seems to me that a Judge needs to be held accountable for his decisions and make them based on evidence, honesty and the law. Judge [redacted] did not base any of his decision on any of this. I would accept his ruling if he were being objective and responsible. Judges like the rest of us must always be held accountable for their actions.

A full detailed investigation into Judge [redacted] motives and decision making abilities regarding this entire case needs to be initiated. I feel my son's civil rights have been violated and am prepared to take this further if I get no satisfaction from this office.