

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-146

Complainant: No. 1178710482A

Judge: No. 1178710482B

ORDER

The commission reviewed the complaint and supplemental materials filed in this matter and found no ethical misconduct on the part of the judge.

The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: June 13, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on June 13, 2007.

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

STATEMENT OF FACTS **CJC-07-146**

Instructions: Please use this form or plain paper of the same size to explain your complaint. In your own words, describe specifically what the judge did that you believe is misconduct. You should provide all of the important names, dates, times and places related to your complaint, but you do not need to cite the applicable canons of judicial conduct. Although you may attach additional pages, do not write on the back of any page. You may attach copies of any documents you feel will help us understand your complaint.

Your name: [] Judge's name: [] Date: 5/16/07

ON [] JUDGE [] DENIED MY PRO PER MOTION TO SUPPRESS THE DNA EVIDENCE WITHOUT READING IT ALTHOUGH HE DID ALLOW ME TO ORALLY ARGUE MY CLAIM. SEE EXHIBIT 1, CASE MGT CONFERENCE, [] PAGE 18.

ON [] I FILED THRU [] INMATE LEGAL SERVICES ("ILS") MY PRO PER MOTION FOR CHANGE OF JUDGE FOR CAUSE, THE HON. JUDGE [] DENIED MY MOTION AND ON [] I FILED A SUBSEQUENT MOTION TO RECONSIDER DENIAL OF CHANGE OF JUDGE MOTION. ON [] JUDGE [] DENIED MY PRO PER MOTION THREE TO RECONSIDER DENIAL OF CHANGE OF JUDGE MOTION. JUDGE [] REFUSED TO PROVIDE ME WITH THE REQUIRED HEARING AS EXPLICITLY STATED IN RULE 10.1(C) ARIZ. R. CRIM. P. JUDGE [] DID NOT READ AND THOUGHTFULLY CONSIDER MY MOTION TO SUPPRESS THE DNA EVIDENCE MOTION. I SOUGHT HIS REMOVAL YET THAT OPTION WAS BLOCKED BY JUDGE [] WITHOUT A HEARING. SEE EXHIBIT 2.

ON [] I FILED THRU [] ILS MY PRO PER MOTION TO COMPEL [] TO PROVIDE LEGAL MATERIALS AND ACCESS TO PERSONS, I REQUESTED, INTER ALIA, [] PROVIDE ME WITH INMATE PRO PER POLICY. ON [] JUDGE [] STATED IT WAS APPROPRIATE [] PROVIDE ME WITH POLICY ON PRO PER INMATES. WHEN [] ILS REFUSED, ON [] I FILED A REQUEST FOR CONTEMPT OF COURT CHARGE. AT THE [] CASE MGT CONFERENCE, JUDGE [] SCOLDED ME IN OPEN COURT FOR REQUESTING A CONTEMPT ORDER AND AGAIN ORDERED [] TO PROVIDE ME WITH PRO PER POLICY. JUDGE [] ALSO ASKED ADVISORY COUNSEL [] FOR ASSISTANCE IN THIS REGARD. SEE EXHIBIT 3.

ON [] I SUBMITTED MY PRO PER MOTION TO COMPEL [] FINGER-PRINT DEFENDANT FOR DISCOVERY PURPOSES, AND ON [] JUDGE [] SCOLDED ME IN OPEN COURT, REFUSED TO ISSUE SUCH ORDER AND LEFT THIS MOTION DENIED AND UNRESOLVED. SEE EXHIBIT 4

ON [] [] JAIL COMMANDER LT. [] WITHOUT NOTICE, HEARING OR DISCIPLINARY ACTION REPORT FINDINGS, TOOK AWAY MY ACCESS TO [] NOTARY SERVICES. ON [] I FILED MY PRO PER MOTION TO COMPEL [] TO PROVIDE NOTARY SERVICES. ON [] JUDGE []

(Attach additional sheets as needed)

COMPLAINT AGAINST A JUDGE

CJC-07-146

SCOLDED ME IN OPEN COURT FOR MY ALLEGED BAD BEHAVIOR TOWARDS
[REDACTED] STAFF AND SAID NOTARY SERVICES WERE A PRIVILEGE, NOT A
RIGHT, (I AM AN INDIGENT PRO PER PRETRIAL DETAINEE) ON [REDACTED]
[REDACTED] I FILED THRU [REDACTED] ILS MY PRO PER REQUEST FOR CITATION TO
AUTHORITY OF NOTARY SERVICES AS PRIVILEGE. AT THE [REDACTED] CASE
MGT CONFERENCE (SEE EXHIBIT 3) JUDGE [REDACTED] SCOLDED ME IN OPEN
COURT AND SAID I NEEDED TO SHOW NECESSITY BEFORE NOTARY SERVICES
WOULD BE PROVIDED. SEE EXHIBIT 5.

I AM REPRESENTING MYSELF IN A CASE WHERE THE STATE HAS NOTICED ITS
INTENTION TO SEEK A DEATH SENTENCE. I HAVE BEEN APPOINTED TWO ADVISORY
COUNSEL; [REDACTED] AND [REDACTED]

[REDACTED] I WAS ALSO APPOINTED MITIGATION SPECIALIST [REDACTED]
[REDACTED] AND PRIVATE INVESTIGATOR [REDACTED]

[REDACTED] I BECAME PRO PER IN [REDACTED] WHEN PUBLIC DEFENDER
[REDACTED] REFUSED TO ASSERT A CLAIM AND THE COURT WOULD NOT APPOINT
ALTERNATE OR REPLACEMENT COUNSEL.

SINCE JUDGE [REDACTED] INITIAL RULING DENYING MY [REDACTED] MOTION
TO SUPPRESS, WITHOUT READING IT, HE HAS DEMONSTRATED A MARKED AND
UNSHUTTLER BIAS AGAINST ME. COUNTY JAIL IS ONEROUS AND REPRESENTING
MYSELF IS HINDERANCE ENOUGH WITHOUT MY TRIAL JUDGE BLOCKING MY
EFFORTS AND DISREGARDING MY CONSTITUTIONAL RIGHTS OF SELF-REPRESENTATION
AND MEANINGFUL ACCESS TO THE LAW AND COURTS.

AS EARLY AS [REDACTED] WHEN I ORALLY ARGUED MY FIRST PRO PER
MOTION BEFORE JUDGE [REDACTED] HE CHIDED ME FOR SOMETHING I HAD NOT
DONE OR HAD NOT THE OPPORTUNITY TO DO; NAMED, STALL AND DELAY. SEE

(3)

COMPLAINT AGAINST A JUDGE

CJC-02-146

EXHIBIT 1, AT PAGE 6, LINE 21-24.

FOR THE SEVERAL REASONS AND CIRCUMSTANCES SET FORTH ABOVE,
I REQUEST THE COMMISSION ON JUDICIAL CONDUCT ASK JUDGE TO
REUSE HIMSELF FROM MY CASE. I BELIEVE A WARNING OR ADMONISHMENT
WILL NOT SUFFICE AND AS MY TRIAL DATE APPROACHES, THE TRINT OF
BIAS AND PARTIALITY REMAINS AND CONTINUES.

RESPECTFULLY SUBMITTED THIS 16TH DAY OF MAY 2007.

