

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-214

Complainant: No. 1316400158A

Judge: No. 1316400158B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issue raised is legal or appellate in nature, and the more appropriate remedy would have been to appeal the judge's decision 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: October 1, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on October 1, 2007.

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

Robert Paul Madden - M-1/10-001
3250 W. Lower Buckeye Rd
Phoenix, AZ 85009

Commission on Judicial
Conduct
1501 W. Washington St,
Rm. 229
Phoenix, AZ 85007

1 of 2

AUG 13 2007

Complaint Against A Judge

Case No. CR2006-012521-001

CJC-07-214

RE: The Honorable Thomas Dunivant III

General Allegations

The Above Referenced Judge Has demonstrated A Reckless Disregard Towards my freedom and Liberty, And by Virtue of his Perfunctory Actions to date I am Compelled to File this Most Serious Complaint.

Furthermore upon Review of this Complaint I pray that the Above Referenced Perfunctory Judge Be Thoroughly Investigated so that All of His Actions will be corrected and Societies Rights Provided by our Constitution Will not be Further Eroded and Compromised.

Said Judge was Assigned to my docket in June 29th 2007, However it took Said Judge (4) days to try my case.

I am in Custody at Lower Buckeye Jail.

Said Judge is Biased and Prejudiced.

I am a United States Veteran and am Retired since 1995, by having colon cancer, with a - 5% chance of survival. I am a patient of the Veterans Administration, for 6 years now. I am a Elderly Cancer patient and have had a triple bypass surgery in July 2004. I also have "Basal Cell Carcinoma" a type of Skin Cancer, which gave me a tumor on my left upper torso, which was removed in 1988. Finally I am an insulin dependant diabetic, all this at the age of, now, 70 years old.

ON JUNE 29th 2007 MY TRIAL BEGAN WITH SAID JUDGE.
THE SAID VICTIM "MR. MEJIA'S" WAS PRESENT, INCLUDING A 12 PANEL JURY
REDUCED TO (9) WITH (4) ALTERNATES IN SUPERIOR COURT 412 EAST.
1ST WITNESS ON MY BEHALF, "DENNIS ZAP" TESTIFIED THAT THE CRIME
WAS NOT COMMITTED. THIS WAS AN EYE WITNESS. MY 1ST CHARACTER WITNESS
"RAUL GARCIA," STATED I WAS A 30 YEAR FRIEND AND CO-WORKER.
2ND CHARACTER WITNESS "CORECKY ROLETTE" A RETIRED "PEACE OFFICER,"
VIETNAM VET, WHICH THE SAID JUDGE DISMISSED ONCE THE SAID JUDGE
REALIZED HE WAS A "PEACE OFFICER," WHICH OBVIOUSLY IS "BIASED" AND
"PREJUDICED" ON THE SAID JUDGE'S PART TO HINDER MY EXONERATION.
3RD CHARACTER WITNESS "JOE ORTEGA" TESTIFIED I WAS A DIVERSE
RESPECTABLE VETERAN, HIM SERVING WITH ME IN THE "AIR FORCE."
AND OUT OF THE "12" CHARACTER WITNESSES THE SAID JUDGE
OBVIOUSLY WAS SEVERELY "BIASED" AND "PREJUDICED" BY NOT ALLOWING
A "UNITED STATES VETERAN" TO BE GIVEN FAIR AND LAWFUL TREATMENT.
ALSO THE SAID JUDGE WAS HANDLED ALL "12" LETTERS OF CHARACTER
REFERENCES HE THEN DID NOT LET THE "JURORS" SEE THESE LETTERS,
AGAIN SHOWING "PREJUDICE, AND BIASED" CONDUCT BY THE SAID JUDGE
ASKING THE JURY, IF THEY KNEW ANY OF THESE "WITNESSES" WHICH OF
COURSE THEY DON'T, IT WAS A FARCE. I PERSONALLY EXPERIENCED
A NON-LEGAL HEARING. A FLAGRANT HEARING BY A FLAGRANT JUDGE
OCCURRED. BECAUSE THE SAID VICTIM WAS HISPANIC, I BELIEVE MY SAID
JUDGE WAS VERY BIASED AS SEEN IN MY "MOTION FOR NEW TRIAL
OR FOR DIRECTED VERDICT."

Since being incarcerated MCSO's Doctors have stated that my health is "seriously" deteriorating, the time leading to and during my arrest, I was experiencing a severe physical problem with my health. I was almost hospitalized myself since my incarceration. I have a Pre-Existing Condition and will be on Medication for the remainder of my Life. Without the benefit of a "Fair and Sound" Judge it leaves me no choice but to conclude that me as a "detainee and victim" that the named Said Judge has Abandon His Responsibilities. Well with Perfunctory Judge's conduct my outcome was Predictable, I seek immediate Relief. A change of Venue is in Order.

Robert T. Madden

x 

x Notary here At Jail would not Notarize.