

CJC-07-228

COMPLAINT AGAINST A JUDGE

Your name [redacted] Judge's name: [redacted] Date: 8/16/07

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

I do believe the first incident of UNCONSTITUTIONAL like behavior was [redacted] during a Dismissal Hearing for Rule 8 Speedy trial violation. In case no [redacted] that was dismissed without prejudice, reason: Judge [redacted] didn't feel continued total incarceration to be a premissite toward prejudice in the case, Respecting the fact that's a Judges discretion, but he avoided all the other CONSTITUTIONAL VIOLATIONS SUCH AS ART. 2 SECTION 15 EXCESSIVE BAIL, ART. 2 SECTION 11 ADMINISTRATION OF JUSTICE, SECTION 13 Equal privileges and immunities which brings us to

[redacted] ON [redacted] Judge [redacted] is faced with another dismissal due to Speedy trial violations a Rule 8. On this day of [redacted] Judge [redacted] but made a different statement, to defendant [redacted] stating "that maintaining continued incarceration is a cause for prejudice in the dismissal. Since [redacted] was on bail Judge [redacted] couldn't see fit to dismiss with prejudice", so gave another Dismissal without prejudice judgement in the case.

LATER AS TIME PASTED Defendant [redacted] WAS NOW fighting the refile. First off, DEFENDANT [redacted] WAS NEVER RELEASED his bail suddenly dropped from [redacted] to [redacted] in which [redacted] WAS SIGNING FOR ON [redacted] the first case dismissed on [redacted] - THIS is when defendant [redacted] requested a complete disclosure from DEFENSE COUNSEL [redacted] A disclosure was given, but not in its completeness (continued on attached

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(Attach additional sheets as needed)

FOR UNKNOWN REASONS, CERTAIN SECTIONS OF THE STATES DISCLOSURE WERE NOT MADE AVAILABLE TO DEFENDANT. ON [REDACTED] THE DAY AFTER THE [REDACTED] PRETRIAL HEARING DEFENDANT [REDACTED] REQUESTED TO SPEAK TO THE MANAGING DIRECTOR OF THE PUBLIC DEFENDERS OFFICE [REDACTED]. THIS IS WHEN DEFENDANT [REDACTED] BROUGHT TO LIGHT CERTAIN QUESTIONABLE ESSENTIALS IN THE CASE WERE NOT BEING ADDRESSED BY DEFENSE COUNSEL [REDACTED] OF [REDACTED] OUT OF [REDACTED] ARIZONA. DURING THIS TIME DEFENDANT [REDACTED] MADE [REDACTED] AWARE THAT A ASSESSMENT OF THE CASE FILE HAD A LOT OF CRITICAL POINTS OF INTEREST NEED BE DEVELOPED NOT TO MENTION THE WITNESS AGENDA THAT COUNSEL NEEDED TO FOLLOW UP ON. THIS INFORMATION WAS GIVEN TO DEFENSE COUNSEL [REDACTED] BACK ON [REDACTED]. WHY, WEREN'T THESE TROUBLING ISSUES NOT BEING ADDRESSED? ALSO WHY? WAS DEFENSE COUNSEL [REDACTED] STEERING AWAY FROM THE MANY DIFFERENT FAILURES, PLUS THE PURJURED TESTIMONY FROM KEY INDIVIDUALS IN THE CASE. ALL THESE MISHAPS, AND SHORT FALLS SHOULD OF BEEN BROUGHT UP IN THE FIRST CASE. [REDACTED] AGREED TO KEEP A VIGIL ON THE PRODUCTIVITY OF THE NEW CASE.

The following court day was [REDACTED] (Monday) County Attorney [REDACTED] CALLED FOR A 404C HEARING TO BE SCHEDULED FOR [REDACTED] ON THE [REDACTED]

EDITORIAL NOTE

The complainant continues to discuss the legal and procedural issues in his criminal case for 32 more pages. Given the length of the complaint and the fact that it was ultimately dismissed by the commission, the complete complaint was not reproduced here. A copy of the redacted complaint can be obtained by contacting the commission office.