

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 07-238

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Complainant: No. 0009310319A

Judge: No. 0009310319B

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**ORDER**

The commission reviewed the complaint and concluded that one of the complainant's motions was inadvertently overlooked, partly due to the complainant's voluminous motions and other pleadings. In this instance, therefore, the commission determined that there was no misconduct on the part of the judge. The commission dismissed the complaint and reminded the judge of her obligation to dispose of all judicial matters promptly.

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

Dated: April 21, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on April 21, 2008.

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

Arizona Commission  
on Judicial Conduct

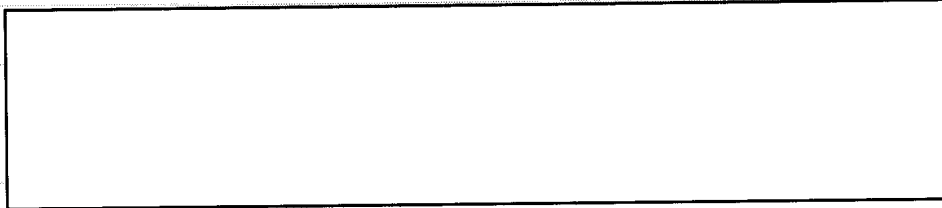
1501 W. Washington St., #229  
Phoenix, AZ 85007

August 29, 2007

SEP 04 2007

CJC-07-238

RE:



Greetings:

On [redacted] I filed a Motion and Affidavit for  
Change of Judge for Cause against Judge [redacted]

On [redacted] Judge [redacted] ORDERED:

"The Court notes that since a Notice of  
Appeal has been filed, the Court will not  
set [a] hearing on Defendant's Motion for  
Change of Judge."

Then Judge [redacted] proceeded further on [redacted]  
[redacted] and [redacted] to issue additional orders  
affecting my Rule 32 of-right procedure; and neglect-  
ed to rule on several notices and pleadings filed by my  
previous counsel, [redacted] and myself regarding my  
Rule 32 proceedings in this case.

I have not complained to the Commission thus far on  
this issue because I have been putting pressure on my  
lawyer, [redacted] to continue with my pending Motion  
for Change of Judge for Cause.

Now, however, I am informed by [redacted] that, after all this time, she intends to file a motion to be released as my Rule 32 counsel so she can pursue federal cases. Which Judge will hear [redacted] motion to be released as my Rule 32 counsel? Judge [redacted] of course. And if I seek to have new counsel appointed to replace [redacted] to whom must I make the motion? Again, to Judge [redacted]

Had Judge [redacted] acted appropriately and scheduled a hearing when I filed the Notice of Change of Judge for Cause, we would not be in this mess, because it is unlikely [redacted] would have been assigned to represent me in any Rule 32 of-right proceedings.

That is because [redacted] had already been assigned to represent me in the Direct Appeal of this case, and rarely does the same lawyer represent the same client in both the Direct Appeal and Rule 32 proceedings of the same case. But Judge [redacted] ordered it so on [redacted] when she ORDERED:

"Upon consideration of Defendant's Notice of Post Conviction Relief, IT IS ORDERED appointing [redacted] to represent the Defendant in any post conviction proceedings."

This is not the only serious issue I have with Judge [redacted] but it is only one of a long list which is growing longer every day.

CJC-07-238

Most recently, Judge [redacted] inappropriately dismissed, on her own initiative, a civil complaint ([redacted]) before the complaint could be served upon the Defendant, and before I had been notified that a case number had been assigned to my Complaint! Incidentally, the above referenced Defendant is a lawyer and personal acquaintance of Judge [redacted]. By dismissing the Complaint on [redacted] (seven days after it was filed on [redacted]), Judge [redacted] knowingly precluded me from filing a notice of change of Judge (without cause). The matter is under appeal.

For an extensive list of the various complaints I have against Judge [redacted] please contact my lawyer, [redacted] (SBN [redacted]) at [redacted]  
[redacted]

Sincerely,

[redacted]