

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-290

Complainant: No. 1322500366A

Judge: No. 1322500366B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethnic bias on the part of the judge.

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

Dated: February 11, 2008.

FOR THE COMMISSION

 \g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on February 11, 2008.

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

CJC-07-290

COMPLAINT AGAINST A JUDGE

Date: 11/05/07

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.

In 2006, approximately it might have been _____, I was arrested for my first DWI. I did take BA. I don't remember how much I registered. But I was found guilty. I did some jail time, I was told to pay some fine. I was still paying the fine off at \$100.00 a month at the time I was arrested for this. I went to _____ to pay off my telephone bill, I did not have a chance to take care of business, I was not drinking, I had just had gotten into _____. This Police Officer followed me into this parking lot. In the parking lot the officer suspected I was under the influence because I refused to take a breath analyzer. Then I was arrested for failure to comply ARS 13-2810. I went to _____ Court and saw Judge _____ I got sentenced to (30) days in _____ County Jail. My fine is \$2,939.00 which came to \$3,619.00 with collection fee. I also was given (3) days Community Service along with (5) years probation.

The reasoning I am bringing this complaint is: I am not working and I have no resource to pay off the \$3,619.00. Then, I know and I have seen Judge giving mostly Native Americans steep fines, which if individuals can't pay, they are picked up for Failure to Comply, and given Jail Time, steep jail time.

I also have seen and know Judge _____ giving mostly Native Americans steep probation like (5) years for misdemeanors, some first offenses, and some of cases hadn't been a trouble for years. Five years probation in my case isn't call for.

Those that are taken to _____ County Jail from _____ are mostly Native Americans residing in and around _____. It is a hardship and distressing to be recidivist for violating probation, or failing to pay a fine, which would come to Failure to Comply. A lot of the _____ that have been put in jail died going through the hardships Judge _____ and his court has put them into. I don't want that to continue by Judge _____

Thank you.

(Attach additional sheets as needed)