

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-296

Complainant: No. 1321610706A

Judge: No. 1321610706B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issue of whether or not the judge relied on incorrect information in sentencing the complainant can only be resolved by a court of law. The commission also noted that the second person named in the complaint is not an Arizona judge.

The complaint is dismissed pursuant to Rule 16(a).

Dated: December 14, 2007.

FOR THE COMMISSION

 \g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on December 14, 2007.

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

NOV 20 2007

Dear Sirs;
Please Accept this letter
as a Complaint on Commissioner (com.)

1) He failed to inquire on alleged erroneous
Criminal history and or record that
would have rendered the court with
no factual basis to Convict or Try
Defendant

was alerted to the
errors in Defendant's Criminal history
by Defendant's Attorney:

A Petition to revoke Probation
was filed on _____; and Probation
was revoked on _____. At the
disposition hearing it was pointed out
to _____ that

erroneously exaggerated
my Criminal history; after Defendant
alerted his attorney of the indescrancies
in the presentence Report made out
by _____ These
historical priors were originally
alleged by _____

and filed by the Clerk of the Court

The Same day. (See Transcripts of Proceedings - Disposition hearing on

of Arizona, Page #11 Line #3. In this Disposition

found that the aggravating factors that aggravated my Sentence were (5) five felony prior convictions (See Transcripts of Proceedings - Disposition hearing on Pg. #14

Lines 3-6 in

The nature of these prior felony Convictions were untrue and in error when they were presented to the Court as predicate felonies - by the pre-Sentence reporter and Commissioner

Did not Consider the evidence in front of him to consider guilt, he made no inquiry to the alleged errors and misrepresentations and could have halted the Proceedings to investigate the Correctness of the Criminal history and legality of the instant Case.

my rights to due process under Arizona and Federal constitutions were violated and inherently prejudiced by Commissioner He made no attempt to inquire adequately into these alleged errors in the defendant's Criminal history of (3) Three convictions of sexual assault and sexual ASSAULT + kidnapping convicted by a Jury Trial. If these would have been corrected and modified at the Disposition hearing - Defendant would not have had to have been incarcerated or found guilty that was eventually reversed and the Conviction vacated.

These erroneous Convictions were researched by the Attorney

by Petition to Court to reproduce two prior criminal files:

and granted: Which lead to a petition: A Concession of Error in lieu of a response to Petition filed:

requesting
to vacate conviction for
failure to register as a sex offender

and release Defendant from the Department of Corrections, which was so ordered by Commissioner

in Case No.

At which time ignored the Consolidated 2nd offense of failure to register as a sex offender in Case No. Where

I also motioned the Court to reconsider the consolidation and ruling, I've been consistently ignored. Both cases are identical and should have been vacated together as one stems from the other and were concurrent sentences. I am presently still incarcerated in case

(This information was handled by Rule 32 management unit:

By request of the County Attorney's Office, (the Department of Public Safety) "modify and - update" Criminal record information contained in offender file:

This is the second time the Defendants Criminal record has

been modified and forwarded to the FBI for inclusion into their files - however, these are still incorrect (The second time modified was and - the first time was stating "on

County Superior Court case Number, Disposition Date

on County Court of appeals having issued an order and mandate filed which reversed the

Judgement of Conviction as To Two (2) counts of Sexual Assault and affirmed the Conviction.

These statements are untrue (See Jury Verdicts enclosed) in Case No.

The Court of Appeals issued an order and mandate filed which reversed the

Judgement of Conviction as to Two (2) Counts of Sexual Abuse cl. 5's "NOT" Sexual Assault and affirmed the Judgement of

CONVICTION.

The Verdicts of
and _____ have no Convictions
of Sexual assault, These records
were readily attainable by

It is also clear and
evident that the fact that the
Commissioner chose to ignore the
defendants' pleas - had they been
taken seriously, corrected and
modified would have greatly
affected the outcome of the
Judgement and at the very least
would have not aggravated
the defendants Conviction, IT
Should be noted that case
was

enhanced to a greater sentence
that was already erroneously
aggravated (in case

See Plea Agreement in case

This is due to

Commissioner

in competence to do + perform the
sworn duty to uphold Justice
to every American citizen.

Revealing the truth in -
"Error only breeds error."

The Police Department's
Public Records Department has
written me letters - Request No. 3

These errors that Commissioner
would not
address have caused the
Police Department and the
Department of Public Safety
to report and notify the Defendants
School campus he attended
at
in and his
Neighbors, employers and potential
employers, his Childrens Schools:
Sending flyers, Posting on Inter-
Net and knocking on doors
Presenting defendant as a
Serial RAPIST and child
Molester - This has caused
a divorce in defendant from
his family and ultimately
incarcerated defendant

for the Past (3) Three
years - Defendant remains
incarcerated, because
Commissioner
would not grant an Entry
of Clearance on Records nor a
Motion for "Clerical Mistakes"
a Rule 24.4 filed and
'Addendum' to
and would not rule on motion
to reconsider his ruling to
vacate "only"
and not regard Addendum
to consolidate
which is an identical failure to
Register as a sex offender offense
stemming from the
case when Defendant would
not purportedly stay at a
homeless shelter That
probation forced him to
register his Driver license
address as his Place of Domicile,

Thank you for your time
and efforts to see Com.
does this to me
Sincerely,