

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-033

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Complainant: No. 1328410591A

Judge: No. 1328410591B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised involve legal and procedural matters outside the jurisdiction of the commission. The commission is not a court and cannot review evidence to determine whether or not a judge's decision is correct. Therefore, the complaint is dismissed pursuant to Rule 16(a).

Dated: March 12, 2008.

FOR THE COMMISSION

    /s\ Keith Stott      
Executive Director

Copies of this order were mailed to the complainant and the judge on March 12, 2008.

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

February 11, 2008

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

**CJC-08-033**

FEB 12 2008

The defendant in this case is on probation and 100% compliant and has completed more than 50% of his period of probation.

The APDO assigned to this case petitioned the court for early termination of probation. Soon thereafter [redacted] advised the defendant that it was her understanding that the commissioner was going to early terminate the probation period on this case.

The period of probation sentenced in the court of [redacted] clearly stated that early termination of probation was possible if the APDO petitioned the court. *See attached.*

After that advisory the State responded. The county attorney misrepresented important facts to the case. *See attached.* The court denied early

probation termination based on the county attorney's misrepresentation of the facts.  
Nothing else changed.

The defendant now asks;

**... "was it appropriate for the Court to ignore the States misrepresentation of the true facts in this case and deny the Adult Probation Departments petition for early termination of without clarification".**

**The defendant believes that his rights were violated and at the very least a clarification of the issue should have been made by the court.**

**The defendant believes that the mentioned court was "not" transparent as required by law and proper judicial conduct.**