

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-034

Complainant: No. 1328300246A
Judge: No. 1328300246B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issue raised is strictly legal in nature and involves the interpretation of Arizona's homicide statutes. The commission is not a court and cannot render an opinion on the law; therefore, the complaint is dismissed pursuant to Rule 16(a).

Dated: March 5, 2008.

FOR THE COMMISSION

/s/ Keith Stott _____
Executive Director

Copies of this order were mailed to the complainant and the judge on March 5, 2008.

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

February 1, 2008

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

CJC-08-034

To The Honorable Members of the Judicial Conduct Commission:

FEB 12 2008

My name is _____ I understand and know you will not and cannot overturn a decision and ruling nor am I seeking legal assistance or advice. I am asking for an investigation regarding the judicial behavior and conduct of County Superior Court.

Acknowledging your scope of authority I respectfully request the review of my concerns and questions under the following reasons:

- A violation of the Code of Judicial conduct.
 1. A judge shall uphold the integrity and independence of the judiciary.
 2. A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.
 3. A judge shall perform the duties of judicial office impartially and diligently.
- Conduct that brings the judiciary into disrepute.

Is it not a violation of judicial conduct to apply the law as per your own personal manipulative interpretation? Is not the personal and deliberate misinterpretation of law a direct reflection against the integrity of the judiciary? Is it not an impropriety when applying a willful and contemptuous construing of the law for your own personal interpretation?

I am now in prison and will remain here until _____ error is corrected via the judicial process of an appeal and/or whatever is to follow. Being imprisoned may strip me of my rights, but it does not strip me of my citizenship or the ability to ask why. As a citizen of the United States of America, how can an officer of the court be allowed to behave in such a manner? How many others have been wrongfully convicted and imprisoned because Judge _____ misinterprets and negatively construes the law for his personal agenda?

Thanking you in advance for your time and acknowledgement of my letter. Enclosed you will find my Complaint Form and supporting documentation.

CJC-08-034

COMPLAINT AGAINST A JUDGE

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.

My conviction and sentence was in direct violation of the Constitution of the United States and the State of Arizona. The jury found me "Not guilty of Felony Murder / Kidnapping." Judge instructed the jury they could find me guilty under the lesser included offense of 2nd Degree Murder and unlawful imprisonment. Judge knowingly construed the law for his own personal interpretation and spite the United States Supreme Court and the State of Arizona assent Second Degree Murder is a lesser included offense only of premeditated murder. SHAD-V-ARIZONA 90-5551 Beck v Arizona - STATE-V-KRUCHTEN 101 ARIZONA-HOPKINS WARREN-V-REEVES 624 US 88 STATE V EVANCKYK 01-0358-CQ and STATE V LEMKE - 1CA-SA 06-D130... P2 in denying Lemke's motion the Superior Court determined that (1) there are no lesser included offense of felony murder and therefore no other offense constitute the "same offense" as Felony Murder for double jeopardy purpose. Judge was without jurisdiction to render such an instruction or to impose sentence. Judge horrendous error in judgement is the direct result of my wrongful conviction and unlawful imprisonment. I am the under educated man, imprisoned not even born citizen and I am able to find the case law and identify it. Do you really believe that Judge did not know this stipulation of the law? I respectfully request someone please investigate this action who else has ever is suffering their lives destroyed by Judge personal misinterpretation of the law.

(Attach additional sheets as needed)