

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-049

Complainant: No. 1317810429A

Judge: No. 1317810429B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. Therefore, the complaint is dismissed pursuant to Rule 16(a).

Dated: April 9, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on April 9, 2008.

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

FEB 25 2008

February 19, 2007 (Tuesday)

Commission on Judicial Conduct
ATTN: Mr. E. Keith Stott Jr. Executive Director
1501 West Washington Suite #229
Phoenix, Arizona 85007

RE: This is a Formal Complaint Against
Superior Court Judge
DEAR MR. KEITH STOTT JR.:

I am filing a formal complaint
against Superior Court Judge
for having defendant removed from court proceeding.
ON After defendant
attempted to object to the states failure to
provide vital information that has been repeatedly
requested by legal counsel on case number

PRESENTLY WE ARE IN CASE NUMBER
the disruption came
when I the defendant tried to object to the fact
hearings held on LEGAL COUNSEL
was appointed after previous counsel

USED COERCION

TATICS TO FORCE DEFENDANT INTO WAIVING HIS RIGHT TO LEGAL COUNSEL AND FURTHER USED A FRACTURED LEG OF THE DEFENDANT TO GAIN FAVORABLE PERSUASION OF MEDICAL CARE IF DEFENDANT WOULD GIVE UP HIS RIGHT TO LEGAL COUNSEL THEN ONLY APPOINTING AS AN ADVISOR, COUNSEL WAS REMOVED AND COUNSEL BECAME APPOINTED.

DEFENDANT EXPLAINED TO THAT FOR NO REASON IS COUNSEL TO USE ANY MATERIALS PRESENTED, OR IN RELATION TO PREVIOUS COUNSEL DUE TO ILLEGALLY FILING PURJURED FABRICATED STATEMENTS, COUNSEL AGREED 3 MONTHS HAVE SINCE PASTED AND THE STATES FAILURE TO TIMELY FILE, OR GIVE DISCLOSURE INFORMATION WAS THE DISCUSSION AT THE ATTORNEY VISIT HELD ON I ALSO BROUGHT UP TAMPERING ISSUES OF EVIDENCE CITING STATE V. RITCHEY 107 ARIZ. 552, 490 P.2D 558 (1971) DEFENDANT CAN OFFER PROOF OF ACTUAL CHANGE IN THE EVIDENCE, OR ILLEGALLY OBTAINED. SUPERIOR COURT JUDGE QUICKLY SHUT DOWN THE DEFENDANT FROM SPEAKING, AND EXPOSING THE ILLEGAL ACTIVITY, IF THE DEFENDANT MERELY WANTED TO EXERCISE MY STATE AND UNITED STATES CONSTITUTIONAL AMENDMENT RIGHTS. THE FOLLOWING THREE PAGES ARE EXAMPLES OF THE ISSUES DISCUSSED WITH COUNSEL SINCE APPOINTMENT.

I DEFENDANT reminds the Court that as stated at the last Pretrial Conference that NO Rights of the defense have been waived especially the Right to the Speedy trial time table. I the defendant also remind the courts that up till now the clock has been running on the account of the States Improper Handling of the States Discoveries and continued violations of Rule 15.2 of the Rules of Criminal Procedure, and that EVEN NOW we the DEFENSE ARE HAVING to back track for information. In order to see what Discoveries that WERE NOT GIVEN by the STATE in the Past Two YEARS that the STATE clearly should have provided in accordance to Brady, the STATE of ARIZONA withheld.

NOW, because the STATE has chosen to withhold such vital information as to the photos that were recently obtained by the DEFENSE and after careful analysis of such materials further Experts will be needed as to Assess the Authenticity under Rule 1003 (1.) citing: STATE V. LACEY 143 ARIZ. 507, 694 P.2d 795 (Ct. App. 1984)

DO UNDERSTAND the DEFENDANT does NOT ALLOW COUNSEL to WAIVE, OR DECLINE ANY SANCTIONS THAT ARE the DEFENDANT'S Right, because Counsel chose to improperly be forth coming about the
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disclosures needed and requested numerous times in the past, the DEFENDANT HERE NOW REQUEST THAT COUNSEL MOVE THE COURTS TOWARD A DISMISSAL WITH PREJUDICE UNDER THE RULE 8 OF RULES OF CRIMINAL PROCEDURE, FOR THE FOLLOWING REASONS:

1.) THE STATE CHOSE AS STATED IN THE MOTION FOR REDETERMINATION OF PROBABLE CAUSE, THAT THE "READER" WENT OUTSIDE AN UNRAIDED... USED TO THE DEFENSE.

AND AS A MATTER OF FUNDAMENTAL FAIRNESS, "JUSTICE DICTATES THAT THE DEFENDANT BE ENTITLED TO THE BENEFIT OF ANY REASONABLE OPPORTUNITY TO PREPARE HIS DEFENSE AND PROVE HIS INNOCENCE" STATE V. SUPERIOR COURT 103, ARIZ 405, 468, 445 P.2D 441, 444 (1968).

2) BECAUSE OF THE CIRCUMSTANCES IN THE CASE AND IMPROPER BEHAVIOR BY PREVIOUS COUNSEL AND PRESENT COUNSELS NEED TO SHIELD OR NOT OBTAIN MATERIALS TO PREPARE A PROPER DEFENSE FROM THE STATE, AND PRESENT DEFENSE COUNSEL HAS COMPLETELY IGNORED THE DEFENDANT'S RIGHT TO A COMPULSORY PROCESS OF OBTAINING THE TESTIMONY OF WITNESSES AND COMPEL THEIR ATTENDANCE A FUNDAMENTAL ELEMENT OF DUE PROCESS GUARANTEED BY THE SIX AMENDMENT IN WASHINGTON V. TEXAS 388 U.S. AND UNITED STATES V. TSUTAGAWA 500 F.2D 420, 423 (9TH CIR. 1974)

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I the defendant cite STATE V. BREWER 26, ARIZ. APP. 408, 549 P.2d 188 (1976) WHERE THE GOVERNMENT WILLFULLY AND NEGLIGENTLY DESTROYED EVIDENCE THAT WOULD HAVE BEEN FAVORABLE TO THE DEFENDANT'S CASE. WHICH I THE DEFENDANT CITE UNITED STATES V. GODOY 528, F.2d 281 (9th Cir 1975) WHERE DEFENSE RAISED ISSUES OF TAMPERING AND STATE V. RITCHEY 107 ARIZ. 552, 490 P.2d 558 (1971) THAT THE EVIDENCE HAS, INDEED, BEEN TAMPERED WITH.

I the defendant CAN ONLY ASSUME THAT PRESENT COUNSEL ACTIONS TO NOT DISCLOSE, OR OBTAIN INFORMATION VIBAL TO A PROPER DEFENSE AND PREVIOUSLY REQUESTED ON NUMEROUS MOTIONS AS STATED IN CASE NUMBERS:

STILL MATERIALS ARE NOT YET DISCLOSED 8 DAYS FROM BUT ANOTHER SPEED TRIAL DEADLINE DATE OF ENDING THE SPEED TRIAL TIME TABLE. THE STATE VIOLATED BRADY, AGURS, BAGLEY PLUS RULES OF CRIMINAL PROCEDURE 15.1, 15.2 AND 16.6(d) COUNSEL VIOLATED: STATE V. CONNER 163 ARIZ. 97, 104, 786 P.2d 948, 955 (1990) THE COURTS VIOLATED: ARIZONA V. LYNCH 107 ARIZ.; ERDMAN V. SUPERIOR COURT 102 ARIZ.; PLUS STATE V. CURRIER 86 ARIZ. UNDER AGUILAR RULE, AND KUHN V. SMITH 154 ARIZ (APP 1987) THE MAGISTRATE SHALL MAKE A DETERMINATION WHETHER

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There is probable cause to believe an offense has been committed. Before all this could be brought out the Superior Court Judge quickly shut down the defendant refusing to allow me to raise these most vital concerns. Now the defendant is not allowed a witness structure, now allowed proof of jurisdiction not even a evidentiary hearing on tampered materials that has no chain of custody as required by law. The Superior Court Judge

has prejudicial as to aid the state canon violations: 3(B)(5), 3(B)(7), 3(A), 2(B), 1(A), also 3(E)(1)(A)...

"PLEASE" accept these chain of events that has recently risen on At Superior Court hearing at . If any

way possible may I receive a copy of this detailed formal complaint with my acceptance response.

Do apologize for the continued hardship that we both have to experience because of this ongoing failure of a system we've try'd to entrust, plus respect.

(CASE STILL PENDING)

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