

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-054

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Complainant: No. 1328900092A

Judge: No. 1328900092B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no misconduct on the part of the judge. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: June 30, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on June 30, 2008.

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

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FEB 27 2008

To whom it may concern,

Enclosed you will find a letter that I wrote to the Honorable Judge. It briefly explains my concerns in regards to several different cases in which I feel he was not correct in his rulings or in the way he allowed certain things to happen.

I am requesting that someone please look into the minutes of my cases:

Specifically where I personally filed motions asking to have my current attorney removed or replaced. Current Attorneys Name

Any help that can be afforded me regarding this matter would be greatly appreciated.

Best Regards,

Your honor Sir,

I am writing in regards to, what I feel is an inadequate and totally unprofessional manner under which I have been subjected as per my court ordered defence.

First off, once it was directed by the courts that I was to be given legal representation due to my inability to obtain legal counsel on my own. I was appointed a Public Defender, a  
I spoke to. for no more

than one (1) min. on our first meeting. I later received a letter stating that I come and see her at her office. When I showed up for that meeting I was met by a who stated that he was employed by the Public Defenders office. He then proceeded to lead me into a small room where he started conducting a one on one interview with me regarding my case(s). As I was lead into the interview room I noticed not more than ten (10) feet away.

It was explained to me that had asked this to interview me before I was

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to have a one on one interview with herself. I didn't feel quite right about this, but I am no lawyer and didn't know the full capacity of what exactly my rights entailed. As the interview proceeded I asked again where was and he again told me that first I was to talk to him. I started discussing my case(s) which was being recorded and a little while (few min.) into the interview I asked him about his background. He explained that he was in law enforcement and had been in charge of a drug enforcement agency back east somewhere for 5-6 years. We continued discussing my case(s) for a brief time until I began to feel uneasy about how the interview was going. I even stated that I couldn't help but feel that he was somehow rooting for the side of the police in regards to my case(s). It was then that I was no longer comfortable with the interview and asked to leave. Before leaving I asked that he give a message from me requesting that I be given a meeting with her prior to my next court date. It was then that I left the public defenders building. I later received in the mail a notice to appear letter with my next court date.

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I was in court with [redacted] on the appearance date, but had yet to speak to her about my case. I was called forward to be seated next to [redacted] before your Honor. There was something mentioned about not using my history or priors in regards to any plea or sentencing. There was no objection by the prosecutors and I believe you your Honor said that it was so ordered. Then [redacted] requested that due to a conflict of interest that she be removed from my case. I asked her who the conflict was with and she stated with my witness. I asked which witness and she said my girlfriend. I then I asked [redacted] what the conflict was and she wouldn't answer me. Your Honor then granted the motion. [redacted] then made a statement that she had already discussed with and that [redacted] would be handling the case.

A few hearings later I felt that there was a problem with my newly appointed lawyer. I just could not talk to my attorney. He urged me to consider the so-called pleas and I just wouldn't even consider it.

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He stated to me numerous times that, quote, "they were gonna to fucking bury me," unquote. I asked that your honor consider my motion for a change in counsel. To date there were (2) two motions filed in your Honors court.

Your Honor stated that we don't have the luxury of being able to pick and choose who are defence attorney(s) would be. You said that if I was to obtain my own counsel and was to have him/her there present with me that he would then reconsider my motion for change of counsel.

I went to work at obtaining new counsel I had contacted an organization called prepaid legal services. I sent them the monies that were for joining this particular service. It took several days and then I was given an membership number. I was then given a law firm who was supposed to get me lined up with legal representation. The law firm was out of

I was in the process of getting an attorney appointed when my next status hearing had come up. During that hearing Your Honor asked me what the status of my legal defence was.

It was explained to your Honor by myself

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but I was cut off by my current lawyer whom I was trying to get removed from my case. Mr Hruby addressed your court making statements as to how he had been in touch with my newly found law firm and spoken to an old "buddy" or "chum" from earlier times. And he made false statements as to the current status of my membership. I can't feel that he was way out of line in his contacting my new law firm and checking on the creditability of my explanation to the court. And especially in his offering of his services. Why would I want the lawyer I'm not able to get along with to have anything to do whatsoever with my new found legal support?

I feel that due to his contact with my new found legal support, that he had damaged my ability to obtain my own legal counsel. I was given a lawyer from on a Thursday. I set up an appointment for the following Monday. But I received a call on Sat. asking me to call my new lawyer I did and was told that my new lawyer couldn't take my case due to being over

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loaded with too many clients. I asked the lawyer to please call Pre Paid legal services and explain to them that he wasn't going to be able to represent me which I believe he did. But due to being set to be back in your court I wasn't able to get another lawyer appointed to me in time. So I was stuck with a lawyer, who wanted me to sign a plea I wasn't comfortable with. And he continually told me that the prosecution was going to "fuckin' bury me". Quote, unquote when I informed that I was in the process of filing a complaint with the Arizona Bar Association. He told me that they were not going to be able to bury me deep enough. His exact words!!

I had (2) two trial dates set and no attorney that would have my best interest at heart. I made the choice not to show which was very stupid thing for me to do. But your Honor I was scared, I was looking at a lot of time and had a lawyer you wouldn't remove from my defense and my new found attorneys bailed after had contacted them without my consent



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of knowledge.

I was ~~staying~~ with a friend named ~~and~~ and was trying to sell my belongings to obtain new legal counsel.

If I would have been given a new lawyer I would have shown for my trial.

Since day one with ~~having~~ we discuss my cases with a person ~~not~~ my lawyer without her present. And then she pulled herself from the case without even discussing any of the conflict with me. Then being appointed a lawyer whom I haven't been able to get along with at all. And have tried (2) times to get removed from my case. He contacted my new lawyer without my consent. And I believe has cost me the right to a fair trial. And caused me to make bad choices to where I am currently being held in jail with a bond way more than I can afford. And I'm still stuck with a lawyer I can not stand to even be around or talk to.

Your Honor I am sending copies of this letter to the following persons.

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The Executive Director E Keith Stott Jr. Commission on Judicial Conduct  
The Honorable \_\_\_\_\_, the Prosecutor  
My current lawyer \_\_\_\_\_ My brother \_\_\_\_\_

So that this travesty will not  
ever fall upon another person who may  
have some legal issues. But in America  
is supposed to be considered innocent  
until proven guilty.

Any concern you can lend to my current  
status with the courts  
would be greatly appreciated,  
Sincerely,