

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-077

Complainant: No. 1331900627A

Judge: No. 1331900627B

ORDER

The commission reviewed the complaint and the audio recording 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.

ARIZONA COMMISSION ON JUDICIAL CONDUCT

IN RE:

No:

CJC-08-077

Respondent.

MAR 27 2008

JUDICIAL COMPLAINT

NOW COMES hereinafter the "Complainant", and files a judicial complaint against the Honorable hereinafter the "Respondent", and states as follows:

The Complainant is a disabled person, who is a defendant in criminal Case Judge is the presiding judge.

BACKGROUND

The Complainant, disabled person. See attached letters from M.D.S.C., marked as Exhibit 1. On account of Complainant's disability, she has given her grandfather, a durable power of attorney to handle all of her legal affairs. See attached power of attorney marked as Exhibit 2.

During the proceedings before Judge the Respondent has consistently refused to allow the Complainant's grandfather to participate in any of the court proceedings. The Complainant does not have the ability to understand all of the legal proceedings and needs the assistance of her grandfather,

Judge initially allowed the Complainant to have court appointed counsel. Although the Complainant's charge does not involve jail time, there is an exception upon which an Arizona judge can appoint a defendant to have an attorney. Judge allowed the court appointed attorney to withdraw and refused to appoint

another attorney stating that "
College."

is not disabled because she is a student at

JUDICIAL MISCONDUCT CHARGE

The Complainant charges Judge with being biased and prejudiced against the Defendant, in violation of the Arizona Code of Judicial Conduct. Judge's statements in open court, stating that is not disabled, when in fact, has been declared disabled by Dr. (Exhibit 1). Such a declaration by Judge in open court evidences Judge bias and prejudice against and indicates that Judge does not have the judicial discipline to administer justice in an unbiased and nonprejudicial way to this Defendant.

WHEREFORE, Complainant prays that an inquiry board immediately assign this matter to a hearing panel, that a date for hearing be immediately set, that the hearing be conducted and that the panel make findings of fact, conclusions of law and a recommendation for such discipline as is warranted by its findings.

Date: March 27, 2008