

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-083

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Complainant: No. 1332010706A

Judge: No. 1332010706B

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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 judge's ruling occurred over three years ago and involved a legal determination that is outside the commission's jurisdiction.

The complaint is dismissed pursuant to Rule16(a).

Dated: April 23, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on April 23, 2008.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

CJC-08-088

COMPLAINT AGAINST A JUDGE

Date: 3/27/08

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.

The complainant says,  
That on \_\_\_\_\_ during a probation violation disposition  
hearing before \_\_\_\_\_ the presiding commissioner for  
case # \_\_\_\_\_ (Aggravated Assault Flc ND/NR) administered a  
unjust and bias sentence to complainant. Complainant was sent-  
enced to a aggravated term of one and a half years in the dep-  
artment of Corrections for a technical violation. This misconduct was  
performed at the request of County Attorney  
/SL

\_\_\_\_\_ allowed County Attorney \_\_\_\_\_ to give pre-  
judicial and unfounded testimony before the courts, on a matter  
that had not been concluded as of date. County  
Attorney \_\_\_\_\_ testified to courts, that the complain-  
ant was currently charged with Child Abuse F2 (DARC) and a  
additional Murder charge would be filed soon. This is due to  
the fact complainant played tag-a-war with a child and  
she lost. This testimony was allowed to compell the courts decision  
towards a aggravated sentence, which was actually granted.  
(This misconduct is in violation of Codes of Judicial Conduct CANON  
2 sec. B, CANON 3 sec. B (2)(5)(a) D. (2)

\_\_\_\_\_ administered a aggravated sentence to complainant on  
grounds of unfounded testimony and tried to impose a super agg-  
ravated term of two years instead of one and a half required

(Attach additional sheets as needed.)

accordingly to the law (sentencing guidelines manual). This misconduct was very vindictive and prejudicial towards complainant. (This is clearly in violation of codes of Judicial Conduct, CANON 1 sec. A., CANON 2 sec. B., CANON 3 sec. B(1),(2),(5),(6),(7),(8), and (12), D. (2) ALSO U.S. Constitution amendment Fifth and fourteenth. Arizona Constitution article 2 sec. 4.)  
 2<sup>nd</sup> issue

denied to modify complainant's unjust sentence pursuant to Rule 24.3 and 32. Comm was fully aware of the fact, complainant case was remanded back to Grand Jury, which should have automatically reversed complainant sentence. Due to the fact courts aggravated complainant prison term on grounds of this matter. This was very prejudicial and malicious towards complainant. (This is clearly in violation of codes of Judicial Conduct CANON 1 sec. A., CANON 2 sec. B., CANON 3 sec. B(1),(2),(5) D. (2)  
 (conclusion)

This Commissioner's duties were to administer a sentence in a fair and unbiased manner. Instead he administered a unjust and prejudicial sentence to complainant based on very bias testimony which is against complainant's rights accordingly to the U.S. and Arizona Constitution. Also Codes of Judicial Conduct.