

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-092

Complainant: No. 1332910647A

Judge: No. 1332910647B

ORDER

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

Dated: May 6, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on May 6, 2008.

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

April 10, 2008

The following information/complaint I strongly believe in my mind without a doubt is misconduct towards me which took place on _____ Municipal Court _____ The time was between the hour of 1pm and 2pm for the record. My attorney was there and _____ was the Judicial Officer. My complaint to the Commission on Judicial Conduct is some of the events I interpreted to have occurred during a trial. I _____ am the defendant. Let me also indicate that it took me several days, due to my mental impairments, to carefully think and write out this complaint. This complaint indicates my concern with _____ conduct in a courtroom which ended up having a negative impact on me whether it was realized or not by others as I internalized it mentally. Many of my severe mental and psychiatric problems have gotten and continue to be worse thus encouraging me to file this complaint. In fact, my recent thoughts of suicide continue to bother me, for example, because of having to file this complaint and the stress involved.

Judge _____ bothered my confidence in my integrity and impartiality of the judicial system this day and seemed to have showed disregard with my psychiatric diagnosis indicated by a letter provided to her by my psychiatrist. The personal conduct of this judge was negative towards me as far as its personal impact upon me. She appeared not courteous when she raised her voice at me with regards to how HIV is transmitted by saliva. I feel there is not scientific evidence on her part to suggest to me, _____ that to me in a courtroom. She also seemed to have performed her judicial duties with prejudice against my disability with no regard to my mental health

issues being taken into consideration. For example, Mental Health Diversion chance where I feel is an important contribution to the repair of the mental damage done as a result of this case. She also appeared to have a discriminating sound when addressing me on any matter in the courtroom. Again, there is no scientific basis for her insulting comment to me about saliva and HIV transmission.

Even more, saliva has been proven scientifically to not be present in human saliva. She never asked me if I had evidence for my defense and ignored my suffering physically indicated by x ray photographs I brought with me for the trial.

I know that court activities require a lot of thought organization which this judge seemed to have taken advantage with me because she knew I was disabled. As a result, it has caused my mental anguish to increase. This is unhealthy for me to be left in such a state. So I ended up feeling distraught and more hopeless towards anything now. I also didn't feel right saying something about it due to fear and retaliation beliefs from this judge. Now, I know that the A.D.A. (Americans with Disabilities Act) federal laws provide rules from exposure to such bad influences towards the disabled from anyone. I am currently in verse with this organization as well regarding this matter.

Now, this judge gave me a strong impression that my behaviors towards the plaintiff were totally improper as I tried to claim self-defense in the matter involving the case. However, I felt ignored and feel abused from her actions when she directed them obviously towards me. There was also no discussion regarding the plaintiff's behavior towards me which intensified my thoughts of her performance. It totally disturbs me mentally her seemingly ignorance with those infected with HIV, As this

judge indicated to me, loudly in court, HIV can be transmitted by spitting. Again, from my knowledge there was no scientific evidence provided from her about this. This led me, as a result, as my biggest disturbing alarm. Even though the case continued to proceed, despite my mental pains and personal torture experience, this reveals "shockingly discriminatory thinking" from her a judge. It is also a particularly extreme example, I think, of unacceptable conduct by a judicial officer required to follow Canon Rules. Now, this raises my question about to which judges are informed about HIV/AIDS and related human rights issues. , is out of line with me in regards to my HIV transmission methods and my status. Let the record show that I do not consider this to be use of judicial temperament however; I feel it is absolutely wrong.

To me these are not high standards of conduct inside this courtroom. Therefore, I feel strongly the discrimination based on her overall apparent failure to give me a chance to use my disability, protected by law, to defend this fact. This is my concern to file immediately my allegations of this judge's behavior which continues to affect and disturb me enough to possibly need to admit myself in a mental ward. Although, I might appear to want to seek Injunctive relief, my main issue with the commission is to evaluate her activities which affected me that day in court.

It continues to be my belief that engaged in a pattern of quiet discrimination towards me during the case process. I feel I was violated by infliction of my mental anguish. I know there is a Mental Anguish and Suffering Law that protects my rights.

CJC-08-092

Let me also point out that at one moment, interrupting the trial, during the trial she cleared the courtroom of uninvited guests which may have violated my sixth amendment right to a speedy trial.

Based on my interpretations of this specific judge's conduct I am claiming she violated some of my civil rights and need help with such a claim. This is also a slight feeling I also have about the Court overall. Let me also indicate that it's difficult for me to determine any witness with the same uncomfortable interpretation of this judge's specific conduct in the courtroom that day. I was just in complete mental fear. My attorney, was unavailable after court for me to review or listen to my complaint of this nature about the judge after the case concluded to its status. There is no way I can accept this type of behavior from anyone towards me that is alarming and distressing against my intelligence and liberty as a human.