

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-116

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Complainant: No. 1119010634A

Judge: No. 1119010634B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of any of the named judges. The issue raised is a legal question outside the jurisdiction of the commission.

Therefore, the complaint is dismissed pursuant to Rule 16(a).

Dated: June 5, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed  
to the complainant and the judge  
on June 5, 2008.

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

## STATEMENT OF FACTS

CJC-08-116

Date: \_\_\_\_\_

PRESIDING JUDGE HAS VIOLATED THE  
ARIZONA CODE OF JUDICIAL CONDUCT, BY, WILLFULL MISCONDUCT IN  
OFFICE, WILLFULL FAILURE TO PERFORM DUTIES AND CONDUCT PREJU-  
DICIAL TO THE ADMINISTRATION OF JUSTICE THAT BRINGS THE JUDICIAL  
OFFICE INTO DESREPUTE. THIS CONDUCT IS A VIOLATION OF CANON'S 1.  
AND CANON 3(B)(5).

IN VIOLATION OF TAYLOR V U.S., 495 U.S. 575 (1990), HE HAS  
AFFIXED HIS SIGNATURE TO THE INVALID AND PERJURED INFOR-  
MATION STATED IN THE OPINION OF \_\_\_\_\_, (SEE EXHI-  
BIT-A). THE INVALID INFORMATION IS HIGHLIGHTED. AS FACTUAL  
PROOF OF THIS, COMPLAINANT HAS MINUTE ENTRY OF  
AS EXHIBIT-B (SEE EXHIBIT-B). COMPLAINANTS PAROLE EXPIRED  
MORE THAN A YEAR AND FOUR MONTHS PRIOR TO THE COMMI-  
SSION OF THE OFFENSE.

COMPLAINANT HAS A DUE PROCESS INTEREST IN HAVING ACCU-  
RATE INFORMATION IN ALL PROCEEDINGS. SUBSTANTIAL RIGHTS ARE  
AT ISSUE, CITE JOHNSON V U.S., 520 U.S. 461 (1997). THIS ERROR  
IS "CLEAR AND OBVIOUS", SO OBVIOUS THAT A JUDGE IS DERELICT IN  
ALLOWING IT. IT IS PREJUDICIAL WHEN THE ERROR MAKES IT EXCEPT-  
IONALLY DIFFICULT FOR THE COMPLAINANT TO DEMONSTRATE THAT THE  
OUTCOME OF THE LOWER COURT PROCEEDING WOULD HAVE BEEN DIFF-  
ERENT HAD THE ERROR NOT OCCURRED. IT IS A MATTER OF LAW THAT  
THE DUE PROCESS INTEREST OF ACCURATE INFORMATION IS PRESENT  
AT ALL PROCEEDINGS, INCLUDING COLLATERAL AND PAROLE RE-  
VIEWS, AS INVALID INFORMATION DOES HAVE A SUBSTANTIAL IM-  
PACT ON A COURTS OPINION OR BOARDS DECISIONS.

(Attach additional sheets, as needed)

STATEMENT OF FACTS **CJC-08-116**

Date: \_\_\_\_\_

JUDGE

IN WRITING THE OPINION IN

EXHIBIT-A DID VIOLATE THE ARIZONA CODE OF JUDICIAL CONDUCT AS  
STATED IN CANON 1, "JUDGES 'MUST' COMPLY WITH THE LAW" AND CA-  
NON 3 (B)(5), "JUDGES 'SHALL NOT' BY WORDS OR CONDUCT MANIFEST  
BIAS OR PREJUDICE.

PURSUANT TO A.R.S. 13-2704, B.1., JUDGE \_\_\_\_\_ HAS  
COMMITTED "UNSWORN FALSIFICATION," A CLASS SIX FELONY. THERE IS  
NO DEFENSE TO THIS UNDER A.R.S. 13-2706 AND THE PROOF OF GUIL-  
TY IS FACTUAL PURSUANT TO A.R.S. 13-2707 (SEE EXHIBIT-A AND  
EXHIBIT-B).

ADDITIONALLY THERE HAS BEEN A VIOLATION OF A.R.S. 13-  
2809 A, 2, B AND C, "TAMPERING WITH PHYSICAL EVIDENCE" ALSO  
A CLASS SIX FELONY.

THERE CAN BE "NO" UNREASONABLE INTERPRETATION OF  
THE LAW AND AS THIS IS A VIOLATION OF LAW, IT FALLS UNDER  
RULE 32 AND TAYLOR V U.S., 495 U.S. 575 (1990). CLAIMANT HAS  
A CONSTITUTIONAL RIGHT TO BE SENTENCED TO ACCURATE INFORMATION.  
AS WITH ANYONE, THIS ERROR IS SO OBVIOUS THAT THE JUDGE  
WAS DERELICT IN HIS DUTY TO REVIEW THE ACTUAL RECORD PRIOR  
TO WRITING HIS OPINION. CITE JOHNSON V U.S., 520 U.S. 461, (1997).

(Attach additional sheets, as needed)

