

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-204

Complainant: No. 1341600157A

Judge: No. 1341600157B

ORDER

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

Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 24, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on September 24, 2008.

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

CJC -08-204

AUGUST 6, 2008

COMMISSION ON JUDICIAL CONDUCT
STATE OF ARIZONA
1501 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007

DEAR JUDICIAL COMMISSION:

I WAS SENTENCED TO 2.5 YRS.
FOR A CLASS 3 FELONY.
PRIOR TO SENTENCING I MADE A MOTION TO THE COURT
IN ORDER TO EXPLAIN MY MEDICAL PROBLEMS. I HAD FELL FROM
A TOP BUNK ONTO THE CELL FLOOR, STRIKING MY HEAD AND
INJURING MY BACK. I EXPERIENCED A CONCUSSION. HON JUDGE
DISREGARDED MY
INJURIES AND CONTRARY TO A.R.S. 13-702 (D) IGNORED
SUBSTANTIAL MITIGATION RE: MY INJURIES. SEE ATT. 1-2.
THE INMATE LETTER RESPONSE BY DR.

ESTABLISHES THE MATERIAL FACT THAT I CAME
INTO PRISON WITH NECK AND LOW BACK PAIN / NECK PAIN, FROM
THE JAIL FALL. CHRONIC HEADACHE SINCE 1992. A CON
SULTATION WITH A NEUROLOGIST WAS SCHEDULED, ATT. 3.

CJC - 08 - 204

Now, my condition from the fall was one element, the long term tremors, which I displayed at sentencing, I was unable to stand for sentencing, constitute yet another element. Judge [redacted] told me "there is nothing wrong with you." I am and have been since post the adoc inmate response letter, been confined to a wheel chair. I cannot walk, because of full body tremors. I was in this condition at the judge [redacted] sentencing.

I have written to attorneys seeking help re the county jail fall. Att. 4-5. Obviously, the fall was serious.

I believe judge [redacted] failure to recognize my disabilities at sentencing constitutes conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

Kindly, investigate the posture of judge [redacted] as out lined above. Thank you very much. I was on morphine 100mg at sentencing, see p. 16 of sent. transcript. None of the above constituted mitigation in judge [redacted] assessment.