

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-023

Complainant: No. 1348810221A

Judge: No. 1348810221B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. There was no evidence of an inappropriate relationship between the judge and any witness in this case. Moreover, the validity of the warrants issued by the judge involves a legal question that falls outside of the commission's jurisdiction.

The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 7, 2009.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on April 7, 2009.

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

FEB 02 2009

January 23, 2009

Commission on Judicial Conduct
1501 W. Washington Suite 219
Phoenix, Arizona 85007

RE: Complaint: Judge

Dear Commission:

I am

against the aforementioned Judge:

Please find herein a Complaint

and (defendants) were arrested
for arson occupied structure, attempted theft (our own property) and
four counts of child endangerment.

1. Facts

On April 23, 08, My wife
arrived to

and I, and our ten year old son
Police department at

approximately 11:47 a.m. because we wanted to file a Complaint

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with the department regarding a "Conflict of Interest," due to an investigating detective's involvement into the matters of the arson investigation at our rental home. Detective [redacted] admitting (Confessed) to being a long time good friend with the suspect of lighting and throwing a Molotov Cocktail through the rear bedroom window our home. Detective [redacted] continued his reckless disregard on the morning of the arson he sought neighbors of the [redacted] (See State Disclosure page 762, Neighbor Witness Statement) for interviews.

On 1/31/08, at approximately 3:51 a.m. Arson occurred. On several occasions prior to the arson the suspect (1) [redacted] "friend of Detective [redacted]" was arrested for "Numerous Violent Crimes" against the [redacted] family, during one of the booking processes, Officer [redacted] reported the following: "During the booking process, Prisoner [redacted] made several threatening comments regarding his neighbor. Statements such as "He will never forget my ass" and "You will read about him in the paper." (See State Disclosure page: 124, Copy of Newspaper story, depicting the arson to [redacted] home).

Mr. and Mrs. [redacted] and their four small children the morning of the fire ran to a neighbors home ([redacted]) to find safety and call 911, summoning the fire and police departments "reporting a fire to their home."

Later, during the course of the [redacted] own investigation

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into these matters, preceding the next ten days, Neighbor () informed my wife and I, she is in a intimate relationship with Jude and has taken it upon herself to Confide in him as to an investigation of the Arson."

On 1/30/08, at approximately 1:30 p.m., the day before the Arson Suspect (2) 'Some person previously reported' to the police on 1/27/08, being overheard in conversation with Alluding to "life it, drop it, let it burn" (See States Disclosure and LHCPD reports DR. No. and DR. for more detail), Arrived home (See 'Photographs included in the States Disclosure) during brief ten minute visit with the two played music on home stereo, interestingly, the music was "Johnny Cash - 'Reign of Fire". A note indicating a hate message authored in handwriting was taped to the Mail-box (surrendered to PD) and incidently this same day was arrested for a second incident involving violent crimes against the family (PD arrest report DR.) was reported to the PD prior to this arrest for banging on the adjacent wall (Duplex home) and screaming profanities and threats toward the 's now believe 's behavior was an act intended by him, sought for his arrest to establish an "alibi" for his whereabouts when committed the Arson. Knew by previous experience the ' Will call the police and report him as they have done on at least seven previous incidents.

- On 2/14/08, Mrs. [redacted], during the course of her investigation searched criminal history's on both suspects (see Defense Disclosure to page, Criminal report) as expected results proved extensive criminal history's, dating from 1970 to present on Ingram.

"Strangely" during [redacted] extensive investigation into the arson and considering the "ENORMITY" of disclosure cumulative by the detective in question of the [redacted] P.D. There was never an investigation into the criminal history of either suspect conducted by the police, which of course is considered a mandatory process and procedure while investigating crimes and said suspects.

- Mr. [redacted] is currently representing himself (pro-se) and has had an opportunity to glimpse States disclosure in this case. States disclosure is and has been commented as being an "Unusal Abundance" for a relevantly simple arson case, resulting in a small carpet burn in the bedroom. There are over 1,000 pages of state disclosure and climbing, more than 1,500 police photographs and 16 dvd and C.d.'s, all with an obvious attempt to confuse.

- On 1/31/08, Judge [redacted] signed a search warrant (SW-2008-009) oddly, the search warrant had been requested by Detective [redacted] (suspect's friend). And second search warrant (SW-2008-034) was signed by Judge [redacted] on 4/23/08, at same affiant's request Detective [redacted] "This is questionable"

- People like the ' Who are Considered as Victims of Violent Crimes (See Defense Disclosure Victim/Witness Advocate Rights forms Completed by the), and then Miraculously Turned into Suspects. This is extremely Questionable." The Violent Crimes here Stemming from " and " Should have gone before a Judge Other than Judge who would look at Certain factors to determine Whether the ' Charges held Merit. Judge is a known "real good friend of " "but the Judge is saying, I don't have to explain myself to anyone." That's too much power. We as a Community should be able to make sure what they are doing is right.

- gone before Judge for the following crimes: Aggravated Assault (F3), Misconduct with Weapon (Gun)(F4), Possession of Drugs with Weapon (F4), Disorderly Conduct with Weapon (F6), Possession of Marijuana (F6), Possession Drug Para. (F6), Arrested four days later charged the following crimes: Disorderly Conduct (M1), Harassment (M1), Threats (M1). Subsequently all charges were dismissed.
- "This is questionable"

2. Argument

Challenges the Judges and Detectives ethics and Judicial Conduct or other law, Misconduct, and Conflict of Interest.

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Judge) at the very least abused his power by failing to adequately weigh rising tensions between the victims and the victimizers and his, Judge involvement hasten to haze matters.

- What does a Judge have in Common With a Convicted Criminal of More than 40 years-accumulated Criminal history? It is professional Misconduct for a Judge to knowingly assist a Criminal Suspect in Conduct that is a Violation of applicable Code of Judicial Conduct or other law. Commit a Criminal Act that reflects adversely on the Judge's honesty, trustworthiness, or fitness as a Judge. Engage in Conduct involving dishonesty, fraud, deceit or misrepresentation; engage in Conduct that is prejudicial to the administration of Justice. To imply an ability to influence improperly a Government Agency to achieve results by means that violate the rules of Judicial Conduct or other law.

The Matters Presented herein are "extraordinary" and an investigation into the aforementioned Complaint is indispensable to Justice. I avow that this Complaint is made in good faith.

Please do not hesitate to inform me you have questions or concerns.

Sincerely,