

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-072

Complainant: No. 1358410791A

Judge: No. 1358410791B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge.

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

Dated: July 23, 2009.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on July 23, 2009.

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

MAR 19 2009

I am writing this letter to the
Arizona Commission on Judicial Conduct

My name is

I was recently in The Superior Court
of _____ County for trial. On about
the 27th of January they selected
the jury or should I say the process
began. The Public Defender name
was _____ and the #

Prosecutor name is _____ #

The Judge in this case name
was _____ #. The jury

was selected and sworn in on
about the 28th of January.
During the selection process there
was a primarily all white jury
pool. There was 1 black female
possible selection. After this jury
was in the jury stand she was asked
if she could be a fair and impartial
jury she asked if she could stand
Judge says yes. This potential juror
began to say that she understood
that people make mistakes and #
that I was innocent until proven
guilty. This juror was struck, the
prosecutor said because she was falling #
asleep. My Defense said because she was black #

I happen to be a African American male. also. Defense brought this up to the Judge and was told by the judge that I don't have to have a juror of my peers, she said that I don't have to have any black & jurors. This juror was excused because she was black. While ~~continued~~ this process continued on another juror after hearing the facts said after being prompted by Judge that this charges on this case are about to make her sick. * The juror says this is a disgusting case and she wants to retire. My Defense tells the Judge that he moves that this jury panel be struck and that we start with a new panel of jurors. The Judge said no that was need to move on and that this would have no effect on the outcome of this trial. It did because I was found guilty. I believe from that point in the mind of the jury I was guilty. At the start of the trial I told the Judge that I had a conflict

of interest with my Defense and that I would like to have the possibility of being represented by some else. Judge # said that my Defense has 20 yrs of experience, and that he is a excellent attorney. My Defense # did basically no research in my case called no character witness for me. did very little research. After I was arrested there was about 1 1/2 months prior to trial that I had no contact with my Defense. after about 30 calls # from my wife, my father, my self he finally got with me the Friday before sentencing. Also after the trial started, the Bailiff was seen # going to lunch ~~with~~ with the prosecuting attorney. Mind you the # Bailiff is the one that is in the Jury Room with the Jury when Deliberation is going on. That a very interesting # to me. The Judge also gave instructions about the letter of the law but change the definitions to us, they could only come back with a guilty verdict. #

Having never been in trouble before prior to being indicted. That night that this alleged incident I didn't know about any of my rights. I didn't know that I could have pleaded my 5th amendment right * and not even have talked to the cops * the night of this incident, I told the judge. Then my understanding was that I had to talk to the cops I didn't know that I had the right to have an attorney present. I expressed this to the judge she didn't agree she says that my rights weren't not violated after doing research my 5th amendment right was violated my 6th amendment right my 13th amendment right all these rights violated please at least look at what's going on with me and my recent interaction with Judge and her court.