

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 09-075

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Complainant: No. 1348410667A

Judge: No. 1348410667B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The court did not receive any motion from the complainant, and the judge named in the complaint is not assigned to the complainant's case.

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

Dated: April 16, 2009.

FOR THE COMMISSION

\_\_\_\_\_  
Executive Director

Copies of this order were mailed to the complainant and the judge on April 16, 2009.

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

State of Arizona  
Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

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| CJC | 09-075 |
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### COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 3-18-09

**Instructions:** Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

FOLLOWING REPEATED CONTINUANCES BEING GRANTED TO THE STATE BY MY TRIAL JUDGE, ON SEPTEMBER 19<sup>TH</sup>, 2007 MY CASE WENT BEFORE THE PRESIDING CRIMINAL JUDGE, TO EXTEND MY LAST DATE FOR TRIAL.

DURING THE SEPTEMBER 19<sup>TH</sup>, 2007 HEARING, THE STATE AGREED TO OCTOBER 15<sup>TH</sup>, 2007 AS THE NEW TRIAL DATE. JUDGE STATED IF THE STATE COULDN'T BE READY ON OCTOBER 15<sup>TH</sup>, 2007, MY CASE WAS TO BE ASSIGNED TO ANOTHER PROSECUTOR.

ELEVEN (11) DAYS LATER, ON OCTOBER 1<sup>ST</sup>, 2007 THE STATE ASKED JUDGE FOR ANOTHER CONTINUANCE, AS THE STATE WOULD NOT BE READY ON OCTOBER 15<sup>TH</sup>, 2007 AS ORDERED BY JUDGE JUDGE GRANTED THE MOTION FOR ANOTHER CONTINUANCE. ON OCTOBER 9<sup>TH</sup>, 2007 I FILED A MOTION TO DISMISS WITH JUDGE DUE TO THE PRESUDICE THE CONTINUANCES WERE CAUSING MY DEFENSE. ON OCTOBER 29<sup>TH</sup>, 2007 JUDGE DENIED THE MOTION TO DISMISS.

ON NOVEMBER 9<sup>TH</sup>, 2007 I FILED A MOTION FOR RECONSIDERATION WITH THE PRESIDING CRIMINAL JUDGE,

ON DECEMBER 20<sup>TH</sup>, 2007, FORTY-ONE (41) DAYS AFTER NOT BEING PROVIDED A HEARING DATE, OR A RULING REGARDING THE NOVEMBER 9<sup>TH</sup> 2007 MOTION, I FILED A SPECIFIC MOTION TO ORALLY ARGUE THE NOVEMBER 9<sup>TH</sup> MOTION AFTER NO RESPONSE OR A HEARING DATE, ON FEBRUARY 1<sup>ST</sup>, 2008 I FILED A SECOND REQUEST FOR TIME TO ORALLY ARGUE THE NOVEMBER 9<sup>TH</sup>, 2007 MOTION. IN THE

(Attach additional sheets as needed)

SECOND MOTION REQUESTING TIME TO ARGUE THE NOVEMBER 9<sup>th</sup>,  
2007 MOTION, I INFORMED THE COURT THE ORIGINAL MOTION  
WAS NOW 83 DAYS OLD, AND DIRECTED THE COURT AS  
TO THE CONTENT OF RULE 91(E) OF THE ARIZONA  
SUPREME COURT RULES, WHICH REQUIRE RULINGS TO BE  
MADE NOT LATER THAN SIXTY DAYS FROM SUBMISSION,  
NEVER RECEIVING A RESPONSE, ON FEBRUARY 27<sup>th</sup>, 2008  
I WROTE TO JUDGE \_\_\_\_\_ CLERK IDENTIFYING  
MY MOTION WAS NOW 110 DAYS OLD. I NEVER RECEIVED  
A RESPONSE.

ON APRIL 16<sup>th</sup>, 2008 AFTER NUMEROUS DELAYS CAUSED  
BY THE STATE, I BEGAN TRIAL WHICH ENDED WITH MY  
CURRENT CONVICTION.

I HAVE WROTE THE ADMINISTRATOR OF COURTS TO  
DETERMINE IF MY NOVEMBER 9<sup>th</sup>, 2007 MOTION TO DISMISS  
WAS EVER RECORDED/FILED AS NEVER HAVING BEEN RULED  
UPON. I AM AWAITING THEIR RESPONSE.

SHOULD THE JUDICIAL COMMISSION NEED CONFIRMATION  
OF ANY MOTION OR DOCUMENTATION REFERENCED WITHIN  
THIS COMPLAINT, DO NOT HESITATE TO ASK.

THANK YOU FOR YOUR TIME,