

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 09-169

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Complainant: No. 1366010221A

Judge: No. 1366010221B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised involve legal and procedural matters outside the jurisdiction of the commission. The commission is not a court and cannot review evidence to determine whether or not a judge's decision is correct. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: August 18, 2009.

FOR THE COMMISSION

\s\ Keith Stott  
\_\_\_\_\_  
Executive Director

Copies of this order were mailed to the complainant and the judge on August 18, 2009.

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



It is quite ironic that the police have done exactly what we suspected they would do! After placing name falsely on a criminal act and then obtaining an illegal search warrant under sworn affidavit of Detective (A Class III Weapon's Dealer). Check out the highlighted sections on the copy of the Search Warrant and the Gun Control Act (Appendix C). Proof is attached that , a family member, is the one that committed the crime they accused of, the arresting officer, , police report (states all the guns were ran and clear), and property return of the gun they said was secreting in the warrant (Appendix D).

The Judge, , in question cannot even sign search warrants, as he was a police supervisor with no formal education, is a City Council Appointed judge, and it is therefore a fourteenth amendment violation. has also been reprimanded by the Arizona Judiciary Committee for being in favor of prosecution, rude and unwilling to hear the defense, as well as bragging that his court generates the most revenue.

When the search warrant was served had just left for work, a knock at the door just minutes after she pulled out of the driveway, answers the door thinking that had forgotten something and much to his surprise, a search warrant was being served on him and our home. Detective claimed to be there on behalf of was denied a phone call to his wife, , or his attorney, . After the search warrant was served and the officers had left, contact to several lawyers around town left us in awe that the minimum charge to just get the Affidavit of Warrant would be \$1500 because they would probably have to sit and wait all day for to even see them as must approve copies of his court records to be released.

On August 6, 2008 went to the to inquire about getting back her Idaho DL and voided check that was taken as indicia of occupancy. Sergeant denied the request and in conversation about the search warrant he told that there were two agents present during the execution of the warrant. She informed him that was news to her because had said he was there on behalf of , no were present and no federal identification was shown to or her. On September 3, 2008 both met with and Captain to try and prove innocence with documentation to back up our point of view and the major mistakes done by his Dective and the "A Team" that executed the warrant. They, of course, backed up their detective, but before leaving the police returned all of standard run of the mill firearms, handguns, rifles, shotguns etc., but kept the NFA Firearms and all of the H&K weapons, parts and accessories .....everything!!!, any guns, or accessories, or piece worth \$1000 or more (Appendix E)

When I refused, in writing, (Appendix F) to abandon or forfeit my expensive and rare collection of H&K firearms, parts and rare accessories, as they are part of our family trust. They (admittedly by their own hands) turned deceased wife's, , NFA Registered AKSU SBR, a firearm that had not even been fired in almost three years, and just inherited by him on an ATF FORM 5, into an ILLEGAL AUTOMATIC WEAPON! and also claim an Illegal H&K trigger pack was his my possession that was actually taken out of their evidence van during the execution of their Illegal Search Warrant, and unknown to at the time, THIS ACTION WAS INDEPENDENTLY WITNESSED!

So, for refusing to let them walk on me for a second time I filed the complaint with DOJ August 14, 2008. Next, met with the Chief of Police and Captain on September 3, 2008 to try to get them to listen, showing them proof the warrant was not in good faith by proving it was not me that the crime the warrant was centered around. Also showing the fact that this was the second time Detective had forged a warrant , the first time being arrested for multiple felony counts of credit card fraud committed by a , a local boat rental guy that was keeping people's deposits (Appendix G). There is no way that was a case of mistaken identity, the credit card

companies all knew the address and SSN of \_\_\_\_\_, and all charges were dropped after \_\_\_\_\_ with the FBI stepped in on \_\_\_\_\_ behalf. \_\_\_\_\_ backed up their detective, \_\_\_\_\_, but returned a few inexpensive guns to me just after our meeting. Then they formally charged \_\_\_\_\_ with two Class 4 Felonies of having illegal Machineguns and a Class 6 Felony of defacing a deadly weapon. The Class 6 Felony derived from the incomplete compilation of H&K receiver parts, along with several American H&K style receiver parts seized during the illegal search warrant that had started to build a firearm from, then stopped working on when his now deceased wife had her first stroke over three years before. All after informing the chief that we had informed (ATF and DOJ) of their ILLEGAL Search and Seizure ACTIONS! Please read \_\_\_\_\_ response to Rule 15 Disclosure which includes some of the 80 pages given to \_\_\_\_\_ at his arraignment hearing in October, the FedEx tracking of 15 items sent to the Firearms Technology Branch which was an impossible weight of 13 pounds given the items sent from Agent \_\_\_\_\_, and a report of \_\_\_\_\_ illegal activities, committing felonies, in Las Vegas a few years ago is also included (Appendix H).

The first, and only, offer from the \_\_\_\_\_ County Arizona prosecutor, \_\_\_\_\_ was to throw out the two Class 4 Felonies they created and plead to an undesignated Class 6 Felony, the defacing of a deadly weapon, which is not even a crime to manufacture a firearm for your own personal use, in exchange for forfeiture of all weapons not yet returned, even though they were not illegal, forfeiture of the three items being held by the courts for evidence and one year of probation. If I refused the offer the prosecutor, \_\_\_\_\_ would dismiss it at the State level and turn it over to the Feds for prosecution. \_\_\_\_\_ rejected the offer and his next court hearing was set for November 24, 2008. Just two days after turning down their offer in October \_\_\_\_\_ were informed by \_\_\_\_\_ ??? that there was a hit on \_\_\_\_\_ for \$250,000 and \_\_\_\_\_ has since disappeared all together within a couple of days of letting this slip. \_\_\_\_\_ made some phone calls and did confirm that there was an open hit on him through the biker clubs with a 30 day time limit and the hit was put out by the cops and others that had something to lose. We informed \_\_\_\_\_ with \_\_\_\_\_ Division and \_\_\_\_\_ attorney immediately. Then, November 19, 2008 at 1:20 pm the attempt on \_\_\_\_\_ life was made. He was hit in the back of the head with a baton round while on his motorcycle, suffered a broken leg and four broken ribs, along with a mild concussion. \_\_\_\_\_ informed \_\_\_\_\_ attorney of his hospitalization and that he would not be able to attend the hearing on November 24, 2008. \_\_\_\_\_ attorney, \_\_\_\_\_, blew up on the phone at \_\_\_\_\_ for calling Judge \_\_\_\_\_ clerk and telling her about \_\_\_\_\_ hospitalization and being unable to attend the hearing scheduled for November 24, 2008. After getting back on his feet again \_\_\_\_\_ was shocked to learn what had occurred between his attorney and the prosecutor, while he was down, including \_\_\_\_\_ being lied to on tape by \_\_\_\_\_ attorney about the case being continued for three months. Dealings between the two attorneys happened that \_\_\_\_\_ had no clue about, nor did his attorney even make the court aware of what was going on with \_\_\_\_\_ until December, but that hearing never happened according to the taped conversation between \_\_\_\_\_ and his attorney (Appendix I). \_\_\_\_\_ returned to court in February with them wanting to have him examined for a Rule 11. These documents for the Motion for Rule 11 and Response to Motion for Rule 11 were never seen by \_\_\_\_\_ and \_\_\_\_\_ until May 2009 and we were appalled at what was said by both the Defense and Prosecution, PLEASE READ THOSE TWO DOCUMENTS in trying to obtain the Rule 11, which was dismissed, as you can see from the documentation attached (Appendix J). The documentation in Appendix J also clearly shows my attorney throwing the whole defense in the lap of the prosecution and jeopardizing a federal investigation. In March my attorney asked for a 30 day continuance to do interviews, and then withdrew as counsel in April for personal reasons (he told my wife and I he was going through a divorce), and kept three 100 ounce bars of silver that were a deposit on flat fee arbitration (Appendix K).

To cover their actions they went to the city council, criminals in their own right, as we can prove to ATF, FBI, EPA, IRS, and Attorney General offices, both State and federal, along with other agencies that must be notified by law. (NOT THE LOCAL FBI/ GOOD OLD BOY! Dave Bagwell, HE IS DIRTY!) Some members of the city council, namely City Manager \_\_\_\_\_ who controls all of the

money and the power to fire elected officials if he chooses. was fired 20 years ago as AZ City Manager for illegally searching the City Attorney's office with the chief of police and took copies of tapes that implemented in illicit activities of skimming funds from the 12 million dollar sewer project going on at the time. is back to his old tricks again, fires those that won't cooperate and keeps others in the dark because he is now involved in an approximate 10% skim from a "tax payer bonded 500 million dollar sewer project". This has all been made possible by paying off numerous city officials, including, but not limited to, engineers and designers inflating the quantities to make the cost estimates higher, inspectors and surveyors that approve quantities for payment, city council members that approve funding, police and judges who illegally search and seize any evidence that could prove what they are up to. There are several ways the payoffs to these individuals occur other than cash, such as homes, vehicles, boats, etc. for free that were seized by the police. If you look at Police Department's annual reports to DOJ they never sell anything that has been seized from crimes and search warrants. City Council always approves anything the local dirty police want; if not then they risk being fired by and run out of town by the police and judges.

This information is what they were really looking for when they obtained the illegal warrant, (read the full warrant in Appendix C) the firearms etc, where just a bonus, and a cover to search for the federal documents! My wife, , civil engineer for the engineering firm doing the design, surveying, permitting, construction management and materials testing for the

Project, stumbled onto some documentation that made her question several things while in the process of building the computer hydraulic sewer model. The documents that she has are proof of fudging quantities and making it possible to skim about 10%. At the time of the warrant in July my wife was unaware of what she was digging into and hadn't put it all together at that point, well she knows way too much now and was starting to point out the discrepancies in August, and just kept finding more and more. None of her superiors would even respond to emails whatsoever other than "not good... it can be figured out how to deal with that later." and when she spoke with her supervisor (civil engineer and his wife works for the as their GIS expert and he is also friends with the city manager and best buddies with the drafters at ), (drafter for all three engineering firms that have worked on the project, friends with Judge and has his direct cell phone number, also claims to be a former Hell's Angels member, wears a 1%er patch and admitted to having to meet with the and when they came to in late October, early November and informed my wife and I to lay low... we believe he was the middleman in setting up the hit on me)and (another drafter for all three engineering firms that have been on the project) who were all members of the design team with her. Separate formal complaints and supporting documentation, along with this packet, will be submitted to the and the Arizona Board of Professional Registrants by to prove the falsification of documents and the skim of the \$500,000,000 Project that is a tax payer bonded project.

All of this ties together and it is believed to be the reasons why they tried to have killed November 19, 2008 and threatened November 24, 2008 at gunpoint telling her if she didn't disappear along with her federal evidence she would die a long, slow death in the desert.

They won't/can't let this firearms charge go for fear of all hell breaking loose!! We have at least one former Police officer begging for a subpoena through us so he can testify federally.

have been continuously harassed since the beginning by the and others. In October a "concerned member of the community" reported suspected neglect and drug use in the home. Suspiciously enough Detective showed up at the house with CPS. was present for the search warrant & part of the August DOJ complaint; he was denied entry into the home by CPS

found the complaint was unsubstantiated and closed the case after drug tests and full cooperation (Appendix L).

both voluntarily took

contacted Special Agent , ATF Supervisor, Phoenix office on Monday, September 22, 2008 and discussed Officers and only doing an information report on 9/21/08 (Appendix M) when and her attempted to file a formal police report about (friend of who was kicked off of the police force and also works for with Stacy which requires Homeland Security clearance to work for them) approaching them at 9/20/09 asking to do interstate transport of firearms, getting an untraceable gun for to use, or killing the guy for that was after him and coming down from after The two officers refused to let (who heard everything) and even fill out witness statements.

In April 2009 Concealed Weapon Carry Permit was requested to be handed over to Arizona Department of Public Safety claiming that he had been charged by the County Sheriff's Department October 1, 2009 with two counts of carrying a concealed weapon without a permit and one count of misconduct involving weapons (Appendix N). When tried to figure out what it was all about he discovered that it was the same case number as his indictment for the current case he is fighting and the County Sheriff has no such records of any charges October 1, 2009. It appears they can't get the story straight because those are not the charges for case #CR

On September 29, 2008 at about 3pm were at the High School and photographed teenagers driving in an unmarked police car, Arizona plate . When it was attempted to report it to the police Sergeant demanded the camera (did not give it to him), and claimed were liars. It was then immediately brought to the attention of the clerk at City Hall to get a message to City Manager and Mayor , see message memo. Next, the registration on both of vehicles, but not her motorcycle, was revoked that same afternoon, claiming she did not have insurance on her cars. The 1985 was trailered down from in March 2008 and had never been insured or driven. The 2005 her daily driver, was insured and took 3 hours to straighten everything out at MVD on October 3, 2009 even though there had never been a lapse in insurance and according to the MVD website records indicated an active policy. All documents and one of three pictures (other two have minors in them and unsure if submittal of those was appropriate) are included (Appendix O).

**I KNOW! I KNOW! BUT IT'S TRUE! WE HAVE THE PROOF! Please remember that the detective that keeps getting all of these illegal warrants, is a Class III weapons dealer, NO COINCIDENCE! THIS IS A MUCH BIGGER CASE THAN ORIGINALLY SUSPECTED AND WE NEED PROTECTION!!**

Please feel free to contact us if you need any further information. This is only a portion of the evidence and documentation gathered as we have more....a suitcase full.