

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-264

Complainant:	No. 1374510219A
Judge:	No. 1374510219B

ORDER

The commission reviewed the complaint filed in this matter and concluded that the judge may have delayed a ruling in one of the complainant's cases. However, the delay was insufficient to warrant further investigation of a judge who has already resigned from the bench. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 28, 2009.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on December 28, 2009.

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

STATEMENT OF FACTS

Your Name: _____ Judge's Name: _____ Date 09/09/09

This Complaint against _____ entails judicial misconduct of the _____ highest order. This complaint consist of _____ failure to perform his sworn duty to address a timely submitted Motion For Dismissal in a civil case of seizure for forfeiture Case No. _____ On September 10, 2008 Judge _____ rendered a judgement on that particular case number, while having blatantly ignored a Motion For Dismissal that had been duly submitted to his Division 4 Clerk, to the _____ County Clerk of Superior Court, and to the _____ County Attorney's Officer (by hand, in person) by my designated Power of Attorney _____ on August 26, 2008 at 2:31 P.M. (SEE EXHIBIT A). How this document, pertinent to an on going case on _____ Superior Court Docket was ignored by _____ for two weeks prior to his trial court's order granting judgement on the pleadings is at best highly suspect and certainly questionable. A persistent failure to perform his duty's.

II

This complaint also accuses Judge of flagrant abuse of discretion. Due process requires that a judge possess neither actual nor apparent bias. The index of record in the case No. _____ will reveal _____ actual as well as apparent bias favoring the state's position and arguments from the onset of this and it's connected case

Also, due process was violated because _____ could not be free from influences of what occurred in a previously connected criminal case No. _____ which was subsequently ordered dismissed by another judge (Hon. _____) in another division (Superior Court Division 3) in the same _____ County Courthouse.

(SEE EXHIBIT B)

III

This complaint further accuses Judge _____ of willfully and knowingly entering into a depraved scheme of prosecutorial misconduct in collusion with Deputy County Attorney _____ using improper methods calculated to produce a judgement of partiality and bias rendering favor to the state's argument .

(Attach additional sheets, as needed)

STATEMENT OF FACTS

Your Name: _____ Judge's Name: _____ Date 09/09/09

This scheme of prosecutorial vindictiveness was hatched by Deputy County Attorney
using Judge _____ as they obviously conspired to usurp the authority of Judge
_____ Division 1 of Superior Court _____ County, by totally disregarding that fact
that jurisdiction over _____ had originally and officially been assigned to
Judge _____ on Feb.27,2007. (SEE EXHIBIT C). In fact, Judge _____ admonished _____
for pyramiding the case numbers in an attempt of deception to justify a civil seizure
after the criminal seizure had failed. Judge _____ ordered _____ (on Sep.18,2008) to
appear before his court on November 17,2008 to explain why two separate judges and two
separate cases had to be filed regarding the same forfeiture. Judge _____ raised his
concerns regarding the waste of judicial resources when two judges take time to address
the same forfeiture case without knowledge that another case is pending. I contend
that _____ and _____ were privy to _____ involvement unbeknownst to him. This was
deliberately done by _____ and _____ deceive and obstruct the normal function of due
process as it was constitutionally intended. (SEE EXHIBIT D & E). I submit that
violated the Code of Arizona Judicial Conduct and should be sanctioned for Obstructing
Justice.

IV

On July 21,2008 during a telephonic pretrial conference call, over my objections,
further exhibited misconduct prejudicial to the administration of justice when he ar-
bitrarily denied my constitutional right (Seventh Amendment) to a jury trial to resolve
the dispute of _____ All this was done without benefit of a deposition,
without discovery, and without consideration or an answer to my filed request for an
Alternate Dispute Resolution. (SEE EXHIBIT F). Instead of recusing himself for being
prejudiced by his involvement in the criminal connection to this case, _____ further
abused his discretion by denying my request for court appointed counsel. Fully aware
this seizure order by _____ had left me destitute, and unable to afford a Lawyer.

(Attach additional sheets, as needed)

STATEMENT OF FACTS

Your Name: _____ Judge's Name _____ Date 09/09/09

To further substantiate this defendant's suspicions and contention that gross misconduct by Judge _____ did occur, I respectfully submit as (Exhibit G) The unsigned judgement of _____ with an August 2008 date designation already affixed to be signed and dated by Judge _____ for the Deputy State Attorney's office, when in actuality a Motion To Set For Trial had already been ordered on August 6th, 2008 in Judge _____ under Case No. _____ This verifies _____ collusion.

In conclusion I present as my final Exhibit H, the cover page and page No. 6 from the Appellee's Answering Brief authored by Deputy County Attorney _____ On page No. 6 Prosecutor _____ references Index item 27, " the trial court (Judge _____) signed) a judgement in favor of the State on September 10, 2008. Index item 30 states that _____ filed a Motion to Dismiss the next day followed by his "Notice of Appeal (Appeal from Arbitration and Motion to Set for Trial)" filed on September 30,2008, No ruling was entered with respect to the Motion to Dismiss. Exhibit A exposes _____ latter statements as total fabrication of the fact that he and _____ received the motion on August 26,2008 and _____ own words in the final sentence verifies my accusation of willful failure to do his sworn duties. "NO RULING WAS ENTERED ON MY MOTION".

Sept. 24, 2009
DATE

DEFENDANT

SUBSCRIBED AND SWORN

ION

ORE ME THIS 24th day of Sept, 2009

