

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-300

Complainant: No. 1377710308A

Judge: No. 1377710308B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The issue raised is legal or appellate in nature and a more appropriate remedy would have been to file an appeal. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: January 20, 2010.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on January 20, 2010.

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

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

CJC 09-300

COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: 10-25-09

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.

Dear Commission on Judicial Conduct,

I on this 25th day of October 2009. Have no choice but
to file this Judicial Complaint against the Honorable Judge
My Constitutional Rights were violated when Judge didn't allow
me under the sixth amendment of the U.S. Constitution, as well as Rule
6.1 of the rules of Criminal Procedure (C) to represent myself, even
though I filed a motion in a timely manner to relieve my Court
Appointed Attorney from his duties as my Counsel
and proceed in propria persona. Due to the actions shown by me,
Mr. I could foresee that Mr. would not
represent me in an adequate, competent, and professional manner
During my trial. I had already foreseen that Mr. was
not working in my best interest as my Court appointed attorney.
This fact was proven when he allowed the identification witness/
victim to see me being lead into the Courtroom in hand cuffs before
she had testified, and did nothing or said about it. Now according to the
Arizona Rules of Criminal Procedure under rule 9.3 a. It states until
the witness has been made available to all parties for cross examination.
The witness shall be excluded from the Courtroom. That the presence
of the witness would be prejudicial to a fair trial. Due to the
fact that this particular witness/victim Mrs. had
stated to Phoenix Police Det. and off. in her
statement to them in their report dated 11-8-07 moments after
the alleged crime that she never saw the suspects face and

(Attach additional sheets as needed.)

That he may have been hispanic. This particular witness/
 Victim was never once asked to I.D. the
 alleged suspect in a physical or photo line-up. Because she
 had already state to phoenix Police Det. M. and off
 that she never saw the alleged suspects face.

(See) police report Attached to Complaint.

By allowing this witness/victim to see
 me in hand Cuffs in the Courtroom before testifying
 was prejudicial to a fair trial. Because moments later
 This particular witness/victim after being
 Sworn in was asked to identify the suspect, where
 she in turn pointed at me and stated that's him after
 seeing me lead into the Courtroom in hand Cuffs and asked
 to have a seat at the defence table, where I immediately
 brought this to the attention of my Court appointed attorney
 whom was also present in the
 Courtroom. That the witness/victim Mrs.
 had just seen me being lead into the Courtroom in hand
 Cuffs. He just turned to me and stated she has a right to be
 here. I contend that by the Court allowing the alleged
 Identification witness/victim to visually see me
 in hand Cuffs. The same identification witness/victim Mrs.
 whom stated that she never saw the suspects
 face was clearly negligent and prejudicial on behalf of the
 Court. And I would ask in the interest of justice that this
 Judicial Committee investigate this Complaint and undo this
 injustice that has been done in violation of the U.S. Constitution
 Sincerely