

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-325

Complainant: No. 1379810381A

Judge: No. 1379810381B

ORDER

The complainant alleged that the judge violated his right to a speedy trial. The commission reviewed the complaint and the judge's response and found no evidence of ethical misconduct on the part of the judge. The case was delayed because the complainant's attorney became involved in ongoing litigation involving the use of a particular Breathalyzer test. The complaint is dismissed pursuant to Rules 16(b) and 23.

Dated: March 12, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on March 12, 2010.

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

CJC 09-325

23PV_City: Tucson

24PV_State: Arizona

25PV_Zip:

26PV_Phone_Area:

27PV_Phone:

28PV_2ndPhone_Area:

29PV_2ndPhone:

30PV_Email:

31PV_Website:

32Circumstances: I have been involved in a DUI case from 8/23/2008. The courts have filed about 6 continuances since the original court date. Procecurator and Judge Were aware of the findings on the Intoxilyzer 8000 and are still awaiting more information before proceeding with the case. I am trying to be patient but enough is enough.

This past weekend I was hit by a drunk driver causing me physical damage. The driver fled the scene and his vehicle was found broken down and abandoned. The owner of the vehicle was found a few hours later @ home & intoxicated. It looks like he may get off after totaling my truck and causing bodily harm.

I am trying to find out why I have not been given a fair and speedy trial. Since August I have had two mental breakdowns due to the multible continuances. Judge is hoping for a miracle to prosecute me.

I am well aware that cases involving the intoxylizes 8000 have been tossed out. Yet this court wants to keep this case ongoing till they receive this information. This could go on for years!

I feel I have suffered enough spending 6 days in a mental health facility and being hit by a drunk driver and causing physical pain to myself. Judge has not given me a fair & speedy trial. I feel he should dismiss this case due to lack of evidence and let me get on with my life. I have suffored enough in the past six months. Please stop this insanity.

33complain_yesno: Yes

33complain_yesno": No

34ComplaintResponse:

35warranty_yesno: No

36sign_yesno: No

37Trans_Date_Month: 0 0

38Trans_Date_Day: 0 0

39Trans_Date_Year: 2007

40Trans_Place: