

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-016

Complainant: No. 1383810717A

Judge: No. 1383810717B

ORDER

The complainant alleged that a superior court judge was biased against him and should have disqualified himself. He further alleged the judge failed to rule on a motion to proceed pro per and failed to set a hearing on a request to access the law library. After investigating the allegations and reviewing the judge's response, the commission found no evidence of ethical misconduct on the part of the judge. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: June 18, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 18, 2010.

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

JAN 13 2010

State of AZ
Commission on Judicial Misconduct
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

RE: Judicial Misconduct By the Honorable Judge
" State of AZ v.
CR2009

Dear Commission:

This incidents occurred between the dates of
22nd of December 2009 and 4th of January 2010.

My attorney @ this time was _____, the
Judge _____ (Pro Tem). On Dec. 22, 2009
_____ filed a Motion To Withdraw as Counsel
and requested Substitute Counsel. The attorney's
reasoning was based upon Ethics violations,
between a client he was representing and myself.

The client he was (is) representing; (Mrs. _____)
has done this for about 2 plus years. Ms.
_____ has been my attorney for about 6 months.

The alleged ethics violation between the attorney
and myself is or should fall under the parameters
of attorney-client confidentiality. What transpired

was Mr. _____ either after or before my
 Jan. 4, 2010 hearing on his motion to withdraw,
 stated to me that, "he told Judge _____ of the
ethics violation, to ensure Judge _____ would
grant his motion."

While I can't know exactly the date my attorney
 told Judge _____ or the exact Ethics violation(s)
 on both parties, ~~but~~, I do ~~not~~ feel, (due to nature
 of the ethics violation on Judge _____), partly that
 , 1) he should of ^{NOT} been privy to the alleged attorney-
 client privilege; 2) I feel Judge _____ will not
 be a fair and impartial trier of facts, if I choose
 to go to a trial before him. In part due to the
 nature of the ethics violation, and I feel Judge _____
 will hold it against me, if I choose to go
 to trial and any rulings he has to make, will be
 biased and prejudiced against me, due to him
 now knowing the exact nature of the attorney-
 client ethics violation.

At this time, I'll be filing on the attorney
 _____ with the State Bar of AZ and writing the
 Sr. Judge _____ and apprising him
 of my complaints and ask for a change of Judges.

All I'm asking from your office is to investigate
 (2)

this matter and prevent it from happening again. There's no way Judge will be fair to me now that he's aware of the "ethics violation" between the attorney and myself. Thank you.

Respectfully Submitted