

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-067

Complainant: No. 1388010717A

Judge: No. 1388010717B

ORDER

The complainant alleged a superior court judge made incorrect rulings related to his requests for new counsel and for advisory counsel. The commission reviewed the complaint and found no evidence of ethical misconduct on the part of the judge. The issue involves a legal ruling outside the jurisdiction of the commission and the more appropriate remedy would have been to file an appeal. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: June 14, 2010.

FOR THE COMMISSION

 \s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on June 14, 2010.

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

2010-067

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 3/15/10

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

On about March 4th, 2010 in Pinal County Superior Court in Division 10. I went to court at 8:30, present was Judge _____ and myself.

At the hearing I filed a motion to dismiss counsel for ineffective assistance of counsel. I told Judge _____ the reasons why Mr. _____ has been ineffective. _____ did not want to help me correct an manifest injustice. Mr. _____ lied to me many times about my constitutional rights. All these reasons I mention were told to Judge _____. Also Mr. _____ didnt want to file my motion to withdraw guilty plea. Judge _____ did not find the reasons good enough to accept my motion to dismiss counsel. Judge _____ denies me my right to effective assistance of counsel. Judge _____ told me he wasnt going to give me another attorney at tax payers dollars when i've already dismissed one attorney.

Then Judge _____ gives me 3 choices, (1) I hire an attorney at my own cost, (2) I continue to proceed with _____ do to the fact he was ineffective. Judge _____ gave me no choice but to go pro se. Then Judge _____ sets a hearing for pro se status to see if im competent to represent myself. At the hearing which took place on March 11, 2010 @ 2:30 pm. In pinal County

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Superior Court, division 10. Present was Judge _____ and myself. At the hearing Judge _____ finds me competent to proceed pro se. Judge _____ asked me if i wanted advisory counsel. I then stated "yes i would like to have advisory counsel," But can you (Judge _____) give me someone else other than _____ Because i feel that after me filing a motion to dismiss him (_____) there now is a conflict of interest. I told Judge _____ that Mr. _____ and i have a conflict with each other. Never did i waive advisory counsel but only requested that i be appointed someone i didnt have a conflict of interest with. Then _____ himself withdrew from my case as advisory counsel. Judge _____ still denies me a new advisory counsel. When i did want advisory counsel. Judge _____ stated that i was on my own without advisory counsel. Judge _____ on Feb 26, 2010 gave Mr. _____ CR 7009 advisory counsel that he did not have a conflict with. Please look into this case, thank you.