

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-142

Complainant: No. 1394700307A

Judge: No. 1394700307B

ORDER

The complainant alleged that a superior court judge improperly denied three motions without allowing a hearing in which to argue his position. After analyzing the issues, the commission found no ethical misconduct on the part of the judge. The complainant's primary concern involves the judge's rulings; however, the commission is not a court and cannot review or change judicial decisions. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: July 28, 2010.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on July 28, 2010.

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

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

2010-142

COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name

Date:

5/24/10

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.

I WANT TO BE CLEAR ABOUT MY COMPLAINT: JUDGE _____ IN NO WAY WAS RUDE OR UNPROFESSIONAL WITH ME AT ANYTIME. I NEED THAT TO BE PLAINLY STATED.

1) MY COMPLAINT IS REGARDING RULINGS ON 3 MOTIONS SUBMITTED. ON 4/19/10 I SUBMITTED A MOTION TO DISMISS PROSECUTION PURSUANT ARIZ. R. CRIM. PROC. RULE 16.6. I MADE THE MOTION BECAUSE NOT 1, BUT MULTIPLE RULES OF STATUTORY RIGHTS HAD BEEN OBVIOUSLY BROKEN, WHICH IS A GROSS VIOLATION ON MY 5TH, 6TH AND 14TH U.S. AMENDMENTS, YET ALTHOUGH TH. VIOLATIONS ARE PLAIN JUDGE _____ DENIED THAT MOTION WITHOUT A HEARING⁺ ORAL ARGUMENT AND CITED IT WAS UNTIMELY. (RULE 12-9) U.S. CONSTITUTIONAL VIOLATIONS ARE NOT YIELDED BY STATE RIGHTS. NO MOTION CAN BE SUBMITTED ON A TIMELY BASIS EVER WHEN THE COURTS, AND STATES PROSECUTOR ADVISE A DEFENDANT WHEN, WHERE OR WHAT TIME A PARTICULAR PROCEEDING IS BEING HELD, NOR WAS ANY DOCUMENT GIVEN ADVISING OF ONLY A 25 DAY CHALLENGE; YET A DEFENDANT IS HELD RESPONSIBLE TO MAKE A CHALLENGE OF A CRIMINAL PROCEEDING HE DIDNT KNOW THE DATE OF, OR THE DATE IT WAS HELD, NOR NOTIFIED BY MAIL OR OTHER WISE OF THE INITIAL 25 DAY CHALLENGE PERIOD. THAT GREATLY EFFECTS MY PROCEDURAL, AND SUBSTANTIVE DUE PROCESS, AND EQUAL PROTECTION UNDER THE LAW; PLUS EFFECTING MY RIGHT TO BE AT EVERY CRIMINAL PROCEEDING. THAT OUGHT TO BE VERY PLAIN: THAT IS JUST LIKE SELLING ME A PACKAGE OF CIGARETTES AND REMOVING THE LABEL THAT SAYS SMOKING CAN BE HAZARDOUS TO MY HEALTH, AND THEN TELLING ME I SHOULD HAVE KNOWN AT THE TIME

(Attach additional sheets as needed.)

ADDITIONAL COMPLAINT PAGED!

I BOUGHT A PACKAGE OF SMOKES THAT I WOULD DIE OF THROAT CANCER OR LUNG CANCER. THAT IS NON-CONSTITUTIONAL.

IF THE STATE GIVES ME A LEGAL RIGHT TO EXERCISE, AND NOT TELL ME ABOUT THE RIGHTS, AND THEN HOLDS ME RESPONSIBLE

TO EXERCISE A RIGHT THE STATE GAVE BUT NEVER TOLD ME ABOUT IN A CERTAIN TIME FRAME IS LIKE HOLDING A

CHILD'S HEAD UNDER WATER, ON PURPOSE, IN THE CENTER OF A VERY, VERY DEEP POOL. THAT IS ALL KINDS OF WRONG,

AND SO WAS JUDGE

RULING ON MY MOTION

TO DISMISS AND MY MOTION TO SUPPRESS:

2) ON MAY 10, 2010 I FILED A MOTION TO SUPPRESS EVIDENCE & POLICE AND VICTIM STATEMENTS ALONG WITH THE INDICTMENT.

POLICE ARE NOT ALLOWED TO USE ANY MORE FORCE THAN THEY ARE INTENT WITH IN ORDER TO MAKE AN ARREST. USING A

TASER ON A MAN WHO IS UNARMED, WHOSE HANDS ARE UP,

ATTEMPTING TO OBEY POLICE ISSUED COMMANDS, NOT THREATENING OFFICERS, NOR OTHERS, NOR TRYING TO EVADE ARREST,

IS A SIGNIFICANT INTRUSION OF A MAN'S 4TH AMENDMENT

RIGHT AND ANY FRUIT THAT COMES FROM SUCH A ILLEGAL

SEIZURE OF A PERSON IS EXPRESSLY FOUL AND

RENDERED UNUSABLE: MY CELL IS FULL OF CASE LAW ON IT:

YET JUDGE

Said IT HAD NO LEGAL MERIT AT ALL:

PLUS, POLICE BLATANTLY SUPPRESSED EXCULPATORY EVIDENCE,

IN MY FAVOR, AND LIED ON THE STAND AT MY GRAND

JURY HEARING ON 9/25/10:

ADDITIONAL PAGE 3 FOR COMPLAINT!

JUDGE

SEEMS TO BE A FAIR AND JUST MAN!

WHICH IS ALL THE MORE REASON I AM SO SURPRISED AT HIS RULING WITHOUT GIVING A OPPORTUNITY TO EVEN SEE IF POLICE MIS CONDUCT OR PROSECUTORIAL MISCONDUCT ASSISTED: I PLAINLY CAN PROVE EVERY OUNCE, SO WHY WOULDNT A JUDGE WANT TO GET TO THE BOTTOM OF THAT, EVEN IF FROM A PRO-PER STATUS DEFENDANT: FURTHERMORE, I CAN ALSO PROVE THE POLICE KNEW ALLEGED VICTIMS LIED TO THEM ABOUT MANY DIFFERENT POINTS BUT STILL POLICE WOULD RATHER GO ON OBVIOUS LIES THAN TO EXTRACT THE TRUTH YET JUDGE APPARENTLY THOUGHT OTHERWISE IN ORDER TO DENY A MOTION THAT WOULD SHED A MUCH NEEDED LIGHT ON A VERY, VERY DARK INVESTIGATION.

3) LASTLY, ON MAY 12, 2010 I FILED A MOTION FOR BOND REDUCTION / OR. / PRETRIAL RELEASE. HAD JUDGE HEARD BOTH ARGUMENTS ON MY MOTION TO DISMISS PROSECUTION, AND MY MOTION TO SUPPRESS, AND SAW 1ST HAND BY STATES OWN EVIDENCE THAT ALLEGED VICTIMS LIED TO POLICE, THAT POLICE OVERTLY VIOLATED MY U.S. CONSTITUTIONAL RIGHTS, ALONG WITH OVERTLY SUPPRESSING INCULPATORY EVIDENCE IN MY FAVOR, HE WOULD HAVE KNOWN I AM UNJUSTLY ACCUSED, UNJUSTLY JAILED, AND WOULD HAVE KNOWN

I AM BY NO MEANS ANY THREAT TO THE PUBLIC; PLUS, I HAVE NEVER, EVER HAD A FAILURE TO APPEAR IN ANY CRIMINAL MATTER.

I HAVE A RIGHT TO BE HEARD: ALL MOTIONS WERE DENIED ON THE SAME DAY, SO, HAD I BEEN IN COURT TO SHOW CAUSE OF SUCH REQUESTS THE OUTCOME WOULD HAVE BEEN

DIFFERENT. I AM BY NO MEANS A LAWYER: I HAVE ONLY MANAGED A LITIGATION SUPPORT DEPARTMENT IN SAN FRANCISCO CALIFORNIA. I CAN NOT BUILD A CLOCK EITHER YET I CAN OF COURSE TELL VERY GOOD TIME. WHY WERENT ANY OF THE 3 MOTIONS EVER HEARD IN COURT? SURELY, JUDGE IS FAIR AND WISE AND NO DOUBT HONEST!

I AM BY NO MEANS QUESTIONING THAT: I AM, HOWEVER, VERY MUCH QUESTIONING HIS RULING ON MOTIONS SUBMITTED IN THE PURE AND RAW INTEREST OF JUSTICE.

JUDGE IS WITHOUT QUESTION WORTHY OF EVERY RESPECT, AND SO IS MY RIGHT TO BE HEARD IN A COURTROOM: NOT AFFORDING ME SUCH A RIGHT IS ANOTHER BLATANT BREACH OF MY 6TH AMENDMENT WHICH IS THE RIGHT TO BE PRESENT AT EVERY CRIMINAL PROCEEDING, INCLUDING THE ONES MOTIONS ARE RULED ON: AND MY DUE PROCESS:

RESPECTFULLY SUBMITTED OF COURSE:

SINCERELY;