

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-242

Complainant:	No. 0308110817A
Judge:	No. 0308110817B

ORDER

The judge voluntarily reported a delayed ruling. The commission decided to dismiss the matter with a private warning reminding the judge of his obligation to comply with statutory and constitutional time limits for ruling on pending matters and resolving pending matters and advising him to implement effective procedures to avoid future delays.

The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 20 , 2010

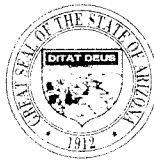
FOR THE COMMISSION

\s\ William Brammer

J. William Brammer, Jr.
Commission Chair

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

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



SEP 20 2010

2010-242

SUPERIOR COURT OF ARIZONA
COUNTY OF MOHAVE

September 15, 2010

Commission on Judicial Conduct
1501 W. Jefferson Street, Suite 229
Phoenix, AZ 85007

Re; Late Ruling

Dear Commission on Judicial Conduct:

My name is _____ and I am the Judge in _____ of Mohave County Superior Court. I just issued a ruling on September 15, 2010 that I took under advisement on May 5, 2010. I had received a Motion for Ruling on August 24 from Defendant's appellant attorney, but had not had time to go into the file and figure out what I had not ruled on until receiving a call on September 14, 2010 asking why no ruling. This was a ruling on a case in which I have now set a resentencing hearing on a Defendant sentenced to thirty-plus years in prison. The Court of Appeals had stayed the appeal pending my ruling.

I have obviously incorrectly signed the monthly document saying I didn't have anything pending more than 60 days. I don't really know what happened. In making the ruling I went back and listened to the original hearing and I ended the May 5 hearing with a vague reference to me being open to accepting additional evidence from either side if they wanted to present any additional evidence. I also said on the record that I would set another hearing so the actual prosecutor could cover, but I also said I would have something out before June 29, 2010. Every time I have thought of the case since then, I never had the time to dig in. I had a clear calendar yesterday afternoon and was able to go through everything and finish the ruling this morning. I wanted to let you know.

Please let me know if there is anything else I need to do. Also please let me know if you need any additional details about the case or the ruling.

Mohave County Superior Court