

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-254

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Complainant: No. 1402210894A

Judge: No. 1402210894B

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**ORDER**

The complainant alleged a superior court commissioner presided over his case without his consent. The commission reviewed the matter and found no evidence of ethical misconduct on the part of the commissioner. It also noted that Supreme Court Rule 96 allows superior court commissioners to hear certain criminal matters without the consent of the parties. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 9, 2010.

FOR THE COMMISSION

/s/ Keith Stott

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Executive Director

Copies of this order were mailed to the complainant and the judge on December 9, 2010.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2010-254

### COMPLAINT AGAINST A JUDGE

Your name:

Judge's name

Date: 9-24-10

**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 7/11/10, I was arrested on 4 counts of Sales of Dangerous Drugs. An Arraignment was held 7/21/10 in L.H.C. Consolidated Court. 7/28/10 I was Indicted by the Grand Jury and Bound over to the Superior Court. 7/15/10 Commissioner (Judge pro tem) conducted what was to be my Arraignment. I Did not in any way or manner consent or agree to be Arraigned By A Commissioner (Judge pro tem), Not implied, oral or written. On Aug. 26, 2010, A Bond reduction Hearing was held Before Commissioner (Judge pro tem), wherein I voiced my objection of Being in front of a Commissioner (Judge pro tem) instead of By a Judge And say that I am Being held a "Hostage" in this case and wanted to Be in front of an "Judge".

Thereafter I had conversation with my Attorney, Mr. Bolobanoff with regards to this matter. He Advised me The Governor Gave The Commissioner (Judge pro tem) the power to Reside over my case without my consent and that he, "My Attorney", was not and would not write a motion to Dismiss.

On 9/23/10 in The Superior Court of Arizona I asked Commissioner (Judge pro tem) to step Down from my case Due to fact that he Does not have my consent to Be hearing my case. Commissioner (Judge pro tem) Advised me that I assigned Counsel and that I can fire my counsel and represent myself. But that he, Commissioner (Judge pro tem) would not assign me another Attorney. Mr. Bolobanoff, stated to the court that we Do not have a good relationship and that we would not get over our Differences. I charges Commissioner (Judge pro tem)

(Attach additional sheets as needed)

1 of 2

with unethical conduct and violations of ethical procedure by reside over cases without consent of both parties

tisted are cases in which Commissioner (Judge pro tem), has and continue to reside over without oral, implied or written consent.

re.

David Thomas Both	# CR-2010-
	# CR-2010-
Brendon Hayes Roger	# CR-2010-
Manuel Rodriguez	# CR-2010
Manuel Johnathan Jimenez	# CR-2009.
	# CR-2010
John Jesus Rodriguez	# CR-2010-
Travis Nicolai Tsosie	# CR-2010.
Clinton Ray Champell	# CR-2010-
Shawn Levi Imhoff	# CR-2010-
Daniel Wayne Kline	# CR-2010-
Kyle David Clouse	# CR-2010
	# CR-2010