

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-355

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Complainant: No. 1408910907A

Judge: No. 1408910907B

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**ORDER**

The complainant alleged that a superior court commissioner violated his due process rights by improperly setting his appearance bond at an initial arraignment proceeding he did not attend. He believes the charges against him must be dismissed because the court lacked jurisdiction over him, and he did not appear before a judge within 24 hours after his arrest. The commission considered the allegations along with the online docket and minute entries and found no evidence of ethical misconduct on the part of the commissioner. The allegations involve legal issue outside the jurisdiction of the commission. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: March 24, 2011.

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 March 24, 2011.

*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

2010-355

## COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: 20 DEC 2010

**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. 04 DECEMBER 2010 HON. COMMISSIONER, MARICOPA COUNTY SUPERIOR COURT, ARIZONA STATE, COURT ROOM-4AJ, CONDUCTED AN INITIAL COURT APPEARANCE WITHOUT ME BEING PRESENT, AND WHILE I WAS DETAINED WITHIN MARICOPA COUNTY SHERIFF OFFICE, ARIZONA STATE, AND SET A SECURED APPEARANCE BOND PER SUM AMOUNT TEN THOUSAND DOLLARS, PURSUANT AN ARREST UPON A WARRANT FOR OFFENSE PUBLIC DESTRUCTION, CRIMINAL COMPLAINT CASE NUMBER CR 2010-007964-001 DT. ARIZ.RULS.CRIM.PROC.RUL 4.1 C A J.
- II. BECAUSE, I WAS ARRESTED FOR AN OFFENSE UPON A WARRANT, WAS DETAINED IN CUSTODY AND WAS NOT TAKEN BEFORE MAGISTRATE WHO ISSUED WARRANT WITHOUT UNNECESSARY DELAY WITHIN TWENTY-FOUR HOURS, I AM ENTITLED TO IMMEDIATE RELEASE UPON SAID CASE. ARIZ.RULS.CRIM.PROC.RUL 4.1 C A J, CCJC 17.
- III. 09 DECEMBER 2010 PER STANDARD CONDITIONS NOTICE PROVIDED ME, AND RECORDS PER CUSTODIAN MICHAEL K. JEANES, CLERK, MARICOPA COUNTY SUPERIOR COURT, ARIZONA STATE, CRIMINAL DIVISION, WILL CONFIRM, I WAS SCHEDULED FOR A GRAND JURY ARRAIGNMENT, AND SAID DATE WAS ACTUALLY TAKEN TO A TELECOMMUNICATIONS AUDIO/VIDEO COURT BEFORE AN UNKNOWN MAGISTRATE, WHO SCHEDULED SAID CASE FOR A PRETRIAL ARRAIGNMENT BEFORE HON. JULIE FAULETTE NEWELL, COMMISSIONER, MARICOPA COUNTY SUPERIOR COURT, ARIZONA STATE, COURT ROOM-CCB-9B.
- IV. I WAS NOT PROVIDED WRITTEN NOTICE REGARDING RIGHT TO PRELIMINARY HEARING, WHEN ALLEGED CRIMINAL PROSECUTION COMPLAINT WAS FILED CHARGING FELONY OFFENSE COMMISSION, AND NO PRELIMINARY HEARING WAS COMMENCED BEFORE A MAGISTRATE WITHIN TEN DAYS WHEREBY I APPEARED IN COURT ON RECORD, MANDATED. ARIZ.RULS.CRIM.PROC.RUL 5.1 C A J.
- V. BECAUSE, AS ASSERTED ABOVE MENTIONED PARAGRAPHS TWO AND FOUR, WAS NOT PRESENT AT AN INITIAL ARRAIGNMENT PROCEEDING, AND WAS NOT PROVIDED A

(Attach additional sheets as needed.)

PRELIMINARY PROCEEDINGS AS REQUIRED, I AM ENTITLED TO BOTH A CRIMINAL CASE COMPLAINT DISMISSAL AND IMMEDIATE RELEASE, BECAUSE MY CONSTITUTIONAL CIVIL RIGHTS AND LEGAL RELATIONS PROTECTED LIBERTY INTERESTS HAVE BEEN VIOLATED BY LICENSE PROFESSIONALS, AND I AM ENTITLED TO A CRIMINAL CASE COMPLAINT DISMISSAL AND IMMEDIATE RELEASE. ARIZ. RULS. CRIM. PROC. RUL. 5.1 [A-J], 16.6 [B,C,D,E-I]; ARIZ. REV. STAT. SECT. 12-942, 12-1031, 12-2602, 13-633, 39-121; ARIZ. REV. STAT. CONST. ART. 2, SECT. 25.

VI. BECAUSE, I DID NOT WAIVE PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS TO BE PRESENT AT ANY PROCEEDINGS RELEVANT THIS MATTER BY VOLUNTARILY ABSENTING MYSELF; YOU CAN INFER, THAT SAID ABSENCE WAS INVOLUNTARY AND THAT I DID NOT HAVE PERSONAL NOTICE OF PROCEEDINGS TIME, AND RIGHT TO BE PRESENT THEREAT, AND A WARNING THAT PROCEEDINGS WOULD GO FORWARD IN MY ABSENCE. ARIZ. RULS. CRIM. PROC. RUL. 9.1; ARIZ. REV. STAT. CONST. ART. 2, SECT.

VII. , HEREBY CERTIFY AFOREGOING CONTENTS TRUE AND CORRECT, PER PERJURY PENALTY, ARIZ. RULS. CIV. PROC. RUL. 80 [I-J].

ACKNOWLEDGMENT AND PROMPT ASSISTANCE APPRECIATED.

THANKS AND BLESSINGS,

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G-UNIT.

- PRO PER.

20 DECEMBER 2010.