

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 11-073

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Complainant: No. 1415310894A

Judge: No. 1415310894B

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**ORDER**

The complainant alleged that a superior court commissioner made incorrect rulings and conspired with the county attorney's office because the case docket showed the state filed a response to his motion to dismiss three days before he filed it. The commission reviewed the allegations, along with the docket and transcripts from two court hearings, and found no evidence of ethical misconduct on the part of the commissioner. The complainant's allegations primarily relate to the commissioner's legal rulings, which are outside the jurisdiction of the commission, and the docketing anomaly was adequately explained during a hearing before the commissioner. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 28, 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 June 28, 2011.

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

From:

March: 07, 2011

To: Commission on Judicial Conduct  
State of Arizona  
Suite: 229  
1501 West Washington St.  
Phoenix, AZ 85007

RE: Notice of Constitutional violations by the Mohave County Justice  
system

Dear Commissioners;

On, September: 19, 2010 I mailed a motion challenging the courts subject matter jurisdiction and a copy of the motion was sent by first class mail delivery to the Mohave County attorneys office and the court, See enclosed certificate of service.

On, September: 20, 2010 the motion was entered in the record by the clerks of the Mohave County Superior Court, See the enclosed doc. file.

On, October: 22, 2010 at the Status conference Honorable Rick A. Williams stated, that the record showed the state had not filed a response to my defense motion stating, the state would file latter that same today, prejudicing my defense, See enclosed court order and court transcript at Page: 5, Lines: 9 through 12 and lines: 24 and 25.

I objected to the state filing a response document after the time had expired under the Arizona Rules for responding and the court did not grant an extension of time for the State to respond, See enclosed transcript from Status conference of 09/22/2010, Page: 6, Lines: 5 through 12.

The Status Conference was continued to December: 03, 2010.

On, January: 28, 2011 at the Status Hearing the first action taken by  
, Judge Pro Tempore was to eject my next of friend and religious advisor from  
the defense table a clear violation of your laws, See enclosed transcript, Page: 3, Line:  
11 through 22.

On, January: 28, 2011 at the Status Hearing held by Judge  
Pro Tempore denied my defense motion filed on September: 20, 2010, See transcript  
Page: 8, lines: 3 through 11.

I object to the court not granting my motion to dismiss based on the state not  
filing a response within the time allowed under the rules, See enclosed transcript,  
Page: 5, lines: 15 through 25, Page: 6, lines: 1 through 25, Page: 7, lines:1 through  
25, Page: 8, lines: 1 and 2.

At the hearing Judge Pro Tempore, informed me that a response  
document had been file on September: 17, 2010 three days before the state could have  
received my defense motion, See enclosed doc. file.

I informed Judge Pro Tempore, that I had not receive a copy of any  
response from the state, See enclosed transcript and the lines high lighted on Pages:  
5,6,7 and 8.

I was able to get a copy of the state response from the clerks office and when  
the Clerk was asked how the state could file a response to my motion three days  
before the Mohave County Attorney's Office had received the motion the Clerk  
replied, "nothing would surprise me."

In the status hearing on January: 28, 2011 Judge Pro Tempore, stated,  
"Well I can tell you what's in the court file and what's in the court file is a motion  
and a response filed on September: 17th, See enclosed transcript Page: 7, Lines: 22  
through 25, Page: 8, Lines: 1 and 2.

On, January: 28, 2011 at the Status hearing I filed an additional motion  
challenging the court's subject matter jurisdiction and provided the states' attorney,  
James Zack with a copy along with an original for the clerk and Judge Pro Tempore,

Under your own rules and appellate rulings, once the subject matter jurisdiction  
is challenged the burden of proof falls on the state.

That same day on, January: 28, 2011 at the Status hearing Judge Pro Tempore, stated that he had read my motion and ordered the motion denied without an objection from the states' Attorney, James Zack, prejudicing my defense, See enclosed transcript Page: 12, Line: 1 and Page: 13, Lines: 21 and 22.

I objected to the court's decision and ask for the points and authorities the court is using to deny my motion and Judge Pro Tempore, stated, "there is no bases in law for your motion," clearly representing the state while practicing law from the bench, prejudicing my defense, See enclosed transcript at P.13, lines: 14 through 22.

### CONCLUSION

The conduct of the Mohave County public officials clearly shows a conspiracy between the Mohave County Attorney's Office, the Mohave County's Clerk's Office and the Mohave County Superior Court Judge Pro Tempore, to tamper with the public records in order to punish me.

The conduct of the Pro Tempore Judge, Chief Prosecutor, James Zack, and the Mohave County Superior Court Clerks Office who have all participated in violating their oath to abide by and uphold the Constitution clearly shows the protections guaranteed by the United States Constitution and the Arizona Constitution are suspended and that the laws do not apply to attorneys, clerks and judges in Mohave County.

The Mohave County Superior Court is operating as an Administrative Article: IV court instead of an Article: III court that addresses the Constitutional protections of 1787 guaranteed by the Bill of Rights of 1791 under a Republic form of government where a corporation cannot be the body of the crime of an injured party because it is artificial, a fiction and where there is no injured party there is no cause of action and such criminal cases filed against me would be dismissed with prejudice in a fair system.

Laws are meant to regulate governmental proceedings not for manipulating justice and when the Mohave County Superior Court violates Constitutional protections such conduct becomes an abuse of process and contempt of the Constitutions.

Subsequently, the Mohave County Superior Court, Pro Tempore, Judge, prosecutor, James Zack and Court officials have all proceeded to deny and treat with contempt to overthrow the Constitution a treasonous act under federal law, and any public official who does not report these treasonous act as required by law may themselves be guilty of misprision of treason, See Title: 18 U.S.C. § 2382.

These attached public documents clearly show the states interest is above individual rights to life, liberty and property and according to President, Ronald Regan that makes your state an evil empire.

President, Gorge Walker Bush made the statement on national television, "that the courts in the United States are corrupt from the top all the way to the bottom and from the bottom all the way to the top," that just seems like an under statement in Mohave County.

There is no higher duty rest upon you as the Commission on Judicial Conduct than to exert your full authority to prevent all violations of the principles of the Constitution, See Downes v. Bidwill 182 U.S. 244, 1901 and Article: 2, § 2 if the Arizona Constitution.

As a victim of these constitutional violations by the Mohave County Justice System I am directing you to that case numbers: CR-2009-            and CR-2009- are dismissed with prejudice and to see that I am immediate release from bonded custody of the Mohave County Superior Court.

Very truly yours

North American Indian

cc. Chief Justice of the Supreme Court  
Arizona Governor  
Attorney General