

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-084

Complainant: No. 1416200147A

Judge: No. 1416200147B

ORDER

The complainant alleged that a superior court judge physically and verbally abused him during his trial. The commission considered the allegations and found no basis to conduct an investigation because the issues raised are unsupported and nearly 15 years old, and the judge has been retired for 10 years. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 29, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on June 29, 2011.

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

Commission on Judicial Conduct
 Rough translation by EKS on 3-22-11

AFFIDAVIT

The affiant is incarcerated in Tucson. The affidavit is handwritten and contains misspelled words, improper punctuation, and idiomatic expressions that made it difficult to translate.

I, _____ (“Leon”), by my own faculties (or powers), am very clear that the crime of perjury by lying is condemned by the law of the United states, but I have no need to lie to anyone.

I, _____ accuse Judge _____ of protecting Geneva Ann Richards Marrero (“Geneva”), of perjury in case CR- _____ with the consent of Judge _____ and he protected her in order to incriminate me in a homicide and he did this because state’s attorney Robert E. Brown knew that Geneva lied before the honorable judge in order to commit the crime of bigamy, first in Pinal County and second in Maricopa county before Judge _____ and there is evidence of this.

What good is the testimony of a person lies to a second judge like Geneva [did].

Respectfully, _____ original signature, 3-15-2011.

Attached to the affidavit is a handwritten letter addressed to the Commission on Judicial Conduct and dated March 14. The letter, which is the equivalent of a complaint, begins as follows.

With all respect, I am addressing [this letter to you] to solicit the help of your office now that I am tired of soliciting help from the Honorable _____ the judge in Division 1 of the Superior court, who committed much physical and verbal abuse [or insult] in my case, CR _____, by using [allowing] false witnesses with felonies.

Judge _____ offended me in full session of the court, calling me “Marrano.” I explained [made clear] to him that my name was Mr. _____ so that he would respect me, and he repeated the same and called me “Marrano,” three more times, and this is in the recording of the court. He angered and offended me in front of the public and members of the Pinal County Attorneys office.

The state’s attorney, Robert C. Brown, spoke with Judge _____ and they took me by force to the judge’s office and threatened me, and the mental health doctor [psychiatrist?], Dr. Brain, gave me an injection by force. I was out of my mind and did not know what was happening in court. I was completely handcuffed [manacled] and still did not know what the jury said when it told me the sentence. I asked the judge where were my witnesses with 130 affidavits, and where was the jury to listen to my testimony. He told me that he did not have time to listen to me because in ten minutes he had to be in his house to watch a football game, and that my sentence was “22-year, day for day maximum for second degree.” He made me angry when he laughed at me. He only told this to my dead mother, Virginia Lopez. She told me in 1997 by telephone.

I, _____ am not in agreement with his false judgment. I did not kill Mr. Marcelino Ibarra. This is false, and he told me that I do not have any right under American law because I was undocumented in the United States and he had signed the sentence. I denied it and they put my fingerprint on the sentence by force. What Judge _____ did is unconstitutional and violates A.R.S. 5 of the constitution. All of this was discrimination and racist. It covers up the true assassin. All I am asking for is justice. I accuse the Judge of criminal corruption in order to protect BIA Indian police detective, Al Lewis, Policeman Romo Lewis, Sergeant Anthony Pablo, Policeman David Johnson, and Sheriff Joe Ibarra, and Sergeant Victor Lucero. All of the people mentioned were in the house on the day of the murder. A video was taken by the BIA that proves what I testify here. BIA telephone 602-732-9727. If I was the assassin, why did the BIA tell me to go to the police on the Gila River Indian Reservation.

I, _____ was not at the house of Marcelino Ibarra, looking for problems with five BIA police in my house, drinking beer during work hours. This is the honest truth. When I entered my dressing room [it was] a mess and two policemen were on the bed in the way in which God brought into the world [idiomatic expression for naked?] The only thing I asked them was who are you? This was about 12:15 a.m. on April 14, 1996. That's when the problem began. As always, the police begin to shoot. I, _____ received three shots. I was there but if anyone else was present, I don't know. They found no ammunition in my possession. The assassin is in the police; I am innocent.

On various occasions, I submitted various Rule 32 motions, and Judge _____ did not contest my legal petitions. I asked him about my case. I was on an Indian reservation that is federal property. Pinal county does not have jurisdiction over this case. I know that the problem is [involves] federal jurisdiction.

I, _____ have more evidence that will prove my innocence in this homicide, but you have to contact me. There are many falsehoods and traps [snare or pitfalls] in and [because of] the corruption of Judge _____

[I am] awaiting your attentive response with all respect

Signed:

Original and registered signature.

In the state of Arizona.

Date: 3-14-2011

Time: 4:09 PM.

Mailed from Phoenix.

"Legal Mail."

3-15-2011

Thank you