

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 11-216

---

Complainant: No. 1425710739A

Judge: No. 1425710739B

---

**ORDER**

The complainant alleged that a superior court judge failed to rule on numerous motions.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After thoroughly reviewing the information provided by the complainant and the record of the case available online, the members of the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: October 20, 2011.

FOR THE COMMISSION

/s/ George Riemer

\_\_\_\_\_  
George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on October 20, 2011.

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

It is to my comprehension that the Judicial office or Judges shall maintain dignity at all times. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity and competence.

Judge should comply with the Law. Maintaining an open mind in considering issues that may come before him/her. Being unbiased and treating all parties equally. Providing both parties the equal opportunity of the law, for the cause of Justice. For they play the roll of a referee in these court rooms.

I've had 4 different trial court dates. First was the fake arraignment before commissioner Miller. Second was on 05-25-11. I can't remember who I was seen by. Third was before Judge Lynch, on 7-18-11. The last and most recent court date was held 08-02-11. Where I was finally brought before Judge

Both Judges that I appeared before on 05-25-11 and 7-18-11 did what they could as far as setting trial dates. When I raised an issue. I was told to put it in writing. Which I had done prior to to court. Most motions were submitted prior to 7-18-11. Also raising Judicial Notice pursuant to Rule 201 (b, d) of Arizona Rules of Evidence. Other issues raised were for production for Investigator and to Compel discovery. Judge Lynch addressed issues raised of Investigator and for prosecutor to provide defendant with discover pursuant to Rule 15.1 (b). All other issues raise Judge Lynch refuse to address due to the

fact he is not my assigned Judge. So a court date was set as requested in Motion of Judicial Notice. Expedite hearing set for 08-02-11.

So finally I am in the presence of my assigned Judge, Judge [redacted]. Now my case CR#2011 was second to last. But before my case was called, Judge [redacted] address the court. If anyone had other matters to attend few people nodded including my advisory counsel. I didn't want to be difficult. But I have done everything in the manner of the court request, Submitted all request first by motion. Captioning every motion according to its request, ending it with Expedite Hearing.

The only motion I got addressed, was the motion I turned in at court for a continuance. Which I had ready in case something went wrong. I addressed the fact that it is very difficult to continue in a forward motion when I can't get any issues address. I've been in custody for six month now. Finally I am before my assigned Judge expecting to be heard.

I was caught off guard when Judge [redacted] avowed in open court that she has not yet even looked at my file. She mention that my file will be reviewed and if any hearing need be to address issues she would I fell I've raise some real important issues that she might not of been able to address at that moment. Not wanting

to be difficult Because she is my assigned Judge. I chose to trust in her to respond. Knowing there is now a time frame according to Rule 16.6 (b) Arizona Rules of Criminal Procedures. Till this day 08-23-11 there has not been a single new minute entry showing any denials or any motions being granted, Nor any hearings set to address specific issues.

I've raise Judicial Notice on Insufficiency of Indictment Pursuant to Rules of Evidence 201 (b, d) Also Pursuant to Arizona Rules of Criminal Procedure Rule 13.2 (a, b, c)

I've raise Judicial Notice on the Fact I was not Provided with a proper Arraignment, which I would like to add to. Also Pursuant to Arizona Rules of Evidence 201 (b, d)

I've requested to challenge the grand jury proceeding without being provided with grand jury transcripts. (Yes I did request transcripts) Request was granted.

I challenged Grand Jury Proceeding believing there is prosecutorial misconduct even unintentional. Because indictment insufficient Requesting for courts to exercise it's Supervisory Power and dismiss my case 2011 even dismiss it under due process.

I've requested for production of transcripts of Grand Jury proceedings, order issued to postpone preliminary hearing pursuant to Rule 5.1(c) of Arizona Rules of Criminal Procedures. Also order issued if Arraignment is exempt from this county, Rule 14.1(d) Arizona Rule of Criminal Procedures. Production of direct complaint that must be filed within 48 hours after initial appearance on arrest without a warrant.

I've request due to my poverty for the courts to fund a phone account and an investigator. Providing me with the necessities of a fair trial. Also allowing me to have the tools to build a defence.

I am trying to humble as I can with these issue in my request. I am trying to do everything I can to ensure I follow the guidelines. So I also requested an omnibus hearing pursuant to Rule 16.1(b) Arizona Rules of Criminal Procedures. To compel discovery. Also Submitting motion to modify release conditions.

I strongly feel ignored here. I feel Judge is lacking precedence in her proceedings. Therefore not conducting herself according to the Code of Conduct. Failing to perform the duties of Judicial office fairly and Impartially Rule 2.6 (a) of Arizona Code of Judicial Conduct

A Judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.

I feel my right to exercise freedom of speech along with my right to peaceably petition the authorities for a redress of grievance is and has been grossly abridged. For I was born in the states subject to the jurisdiction thereof. Entitling me to Our Constitution, given equal protection of the law.

Sincerely,

End of Complaint