

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-027

Complainant: No. 1431310739A

Judge: No. 1431310739B

ORDER

The complainant alleged that a superior court judge abused her discretion in denying his motion for mistrial due to prosecutorial misconduct and judicial overreaching.

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 reviewing the information provided by the complainant, along with various electronic court records, 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: March 6, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on March 6, 2012.

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

2012-027

COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: 01/23/2012

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 had Judge Pineda I filed case number 11- well this is to keep you informed on what happened My trial Judge was supposed to be Judge Gottsfield he was struck out by prosecution and I was assigned to Pineda who committed a lot of Judicial overreaching and misconduct She changed Jury instructions seven times She suppressed evidence in my favor and assisted the prosecution for a false conviction admitted evidence that was never forensically tested. Wouldn't let me have closing arguments telephonically. Before Judge Pineda sentence me she mysteriously Recused herself right after I filed motions for Dismissal and Mistrials based on prosecutorial misconduct and Judicial overreaching my motions were denied by the new Judge. And She set to sentence me on 01/27/2012. I asked my advisory Counsel why Judge recused herself and he said he didn't know why. I requested a mandate writ for previous Judges recusal. The Court has abused its discretion of the Trial Court. States that she's backing up Judge Pineda's request on denying my motions for Mistrial and Dismissal with clear convincing evidence with the facts that I have stated. I will follow up with this complaint after sentencing Thank you.

(Attach additional sheets as needed.)