

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 12-159

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Complainant:	No. 1444210940A
Judge:	No. 1444210940B

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**ORDER**

The complainant alleged three superior court judges violated his rights in connection with his criminal case and subsequent proceedings.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 and the electronic case history, the commission found no evidence of ethical misconduct and concluded that the judges did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the judicial rulings in the complainant's case. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: July 25, 2012.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on July 25, 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

2010-159

COMPLAINT AGAINST A JUDGE

Your name

Judge's name:

Date: 06/06/12

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

\* THE HONORABLE WAS ASSIGNED TO DECIDE IMPARTIALLY RULE 32 PROCEEDINGS. I STARTED WITH SERVING A NOTICE OF POST CONVICTION RELIEF. THE HONORABLE ISSUED ORDER I COULD SUBMIT A RULE 32 "SUPPLEMENTAL PETITION". I WAS NOT SUPPLIED BY ORDER OF COURT AT SUCH TIME CASEFILE RECORDS, TRANSCRIPTS, et cetera. AFTER A SPELL THE HON. WAS ASKED TO SUPPLY ME WITH COURT RECORDS AND TO ORDER PREVIOUS COUNSEL(S) TO SEND ME CASEFILE RECORDS. IN ORDER TO ALLOW ME TO PREPARE MY OWN CASE PLEADINGS IN THE RULE 32 PROCEEDINGS. IVE NOT BEEN SUPPLIED WITH REQUESTED CASEFILE RECORDS, TRANSCRIPTS, et cetera. HOWEVER, EVEN THOUGH HON. KNEW WHAT RECORDS WERE SPECIFICALLY NEEDED FOR MY SUPPLEMENTAL PLEADING PREPARATION; KNEW HE WAS NOT BEING SUPPLIED WITH SUCH NEEDED RECORDS, AND; DID NOT ENSURE RECORDS WERE SUPPLIED TO ME AS REQUESTED, I DID MANAGE TO FILE A SUPPLEMENTAL PETITION RAISING ONE (1) ISSUE.

\* THE HONORABLE THEREAFTER MOVED TO DENY RELIEF OF THE CASE FACT DOUBLE JEOPARDY VIOLATION, DUE PROCESS VIOLATION, AND INEFFECTIVE ASSISTANCE OF COUNSEL TO PART OF THE ONE (1) ISSUE IVE SUBMITTED AS GROUNDS FOR RELIEF. THE HONORABLE DID NOT DECIDE TO DENY THE PETITION FOR POST CONVICTION RELIEF BASED ON GROUNDS IVE CLAIMED FOR RELIEF. INSTEAD HE DISMISSED/DENIED THE PETITION ON THE BASIS OF ISSUES NOT RAISED AS A CLAIM FOR RELIEF. AND HONORABLE HAS NOT ADDRESSED A MOTION FOR REHEARING IN A TIMELY MANNER OR IN ACCORDANCE WITH ARIZONA LAW.

\* FOR SUCH SPECIFIC REASONS I BELIEVE HONORABLE HAS NOT PERFORMED THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY AND DILIGENTLY.

(Attach additional sheets as needed)

CONFIDENTIAL

State of Arizona  
Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2012-159

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: \_\_\_\_\_

Hon.

6/26/12

**Instructions:** You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

\* THE HONORABLE ACTING AS PRESIDING JUDGE NEGLECTS

TO CONDUCT JUDICIAL ACTIVITIES WHERE LAWYERS, PROSECUTORS, JUDGES, PROBATION OFFICERS, PRACTICE METHODS OF INCOMPETENT INTERPRETATION AND APPLICATION OF ARIZONA LAW. INCLUDING ACTS INVOLVING VIOLATIONS OF UNITED STATES CONSTITUTIONAL LAW.

\* THE HONORABLE KNOWS, SHOULD KNOW OR SHOULD HAVE

KNOWLEDGE IVE FILED A PETITION FOR POST CONVICTION RELEASE THAT REPORTS IN 2006 AT A MISHEARD PROCEEDING I WAS ORDERED TO PARTICIPATE IN AN UNLAWFUL OPERATION OF PROBATION, WHICH FOR I'M SERVING EIGHT(8) YEARS IN PRISON FOR VIOLATING PROBATION.

\* IVE SUBMITTED PLEADINGS THAT REPORT NO EIGHT(8) YEAR PENALTY

WAS SUSPENDED IN 2006. TO WARRANT JUDICIAL AUTHORITY FOR ANY COURT TO ORDER I BE SENT TO PRISON FOR EIGHT(8) YEARS FOR VIOLATING PROBATION. SEE EXPANDED CASE HISTORY RECORDS "CRIMINAL"

\* AS OVERSICHER OFFICIAL OF CONDUCT OF WHAT GOES ON IN A

COURTROOM, THE HONORABLE ACTING IN HIS

OFFICIAL AND JUDICIAL CAPACITY (WITH DELIBERATE INDIFFERENCE) NEGLECTS TO PERFORM HIS PROFESSIONAL DUTIES TO ENSURE CASE SPECIFIC SUBJECT MATTER (WORTHY OF EVIDENTIARY HEARING AND/OR REVIEW) TO THE COURTHOUSE STANDS TO PROMOTE (MINDFUL CORRECTION OF ILLEGITIMATE, ILLEGAL PROSECUTION, CONVICTION, SENTENCE AND/OR DIRECT INVOLVEMENT TO AVOID ILLEGAL SITUATIONS.

\* THIS COMPLAINT THUS REQUESTS INVESTIGATION OF ALL ACTS OR

OMISSIONS (WHICH PROHIBITED CONDUCTS PLEADED) AS KNOWN OR SHOULD HAVE BEEN KNOWN, HONORABLE FAILED TO SUSPEND CHARGE

RESPECTFUL OF JUDICIAL INDEPENDENCE, INTEGRITY AND CREATIVITY.

(Attach additional sheets as needed)

2012-159

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name: \_\_\_\_\_

Date: 06/06/12

**Instructions:** You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

\* HONORABLE HAS ALLOWED PROCEEDINGS TO COMMENCE PROSECUTION  
OF A PETITION TO REVOKE LIFETIME PROBATION (ORIGINAL JUDGMENT AND  
ORDER OF LIFETIME PROBATION DATED (05/09/06) WITHOUT PROPER INVESTIGATION  
TO FIND OUT BY WHAT LAWFUL OR LEGITIMATE JURISDICTIONAL AUTHORITY  
THE STATE OF ARIZONA HAS TO SEEK TO PROSECUTE FOR PUNISHMENT WHAT  
THE (05/09/06) JUDGMENT ORDER PROPOSED.

\* I WAS ORIGINALLY CHARGED FOR TWO(2) COUNTS OF CRIMINAL OFFENSES  
BY GRAND JURY. I AGREED TO ADMIT TO THE OFFENSES FOLLOWING A STATE  
PLEA OF GUILTY AND ON ADVICE OF DEFENSE COUNSEL. THE ORIGINAL SUPERIOR  
COURT ORDERED I DO FIVE(5) YEARS AND COMPLY ONE OF THE INDICATORS AND  
ORDERED TO PARTICIPATE IN THE STATES PROBATION PROGRAM FOR LIFE  
OR COMPLY TWO OF THE INDICATORS. I HAVE COMPLETED THE FIVE(5) YEAR  
SENTENCE / JUDGMENT OF IMPRISONMENT TERM OF PENALTY. AND NOW I'M  
DEPT (EIGHT(8) YEARS IN PRISON AS PART OF THE MATTER (REVOKING THE  
TERMS AND CONDITIONS OF LIFETIME PROBATION) OF THE ORIGINAL (05/09/06)

\* JUDGMENT / SENTENCE.  
I'VE SUBMITTED A PETITION FOR POST CONVICTION RELIEF TO CORRECT FACT THE  
OFFENSES ADMITTED TO ARE ONE AND THE SAME, ALTHOUGH, ONE OFFENSE IS A LESSER  
INCLUDED OFFENSE OF THE OTHER. THE SENTENCE IMPRISONED IN THE VIOLATION OF  
PROBATION AND/OR PROBATION ORDER OF (05/09/06) HAS NO RECORD TO SUPPORT ANY  
EIGHT(8) YEAR IMPRISONMENT PENALTY (FOR VIOLATING TERMS AND CONDITIONS  
OF LIFETIME PROBATION) WAS STATED. AND BECAUSE THE RECORD LACKS CLEAR  
INFORMATION, STATING PREVIOUS ORDER OF COURT IS JURISDICTIONALLY BASED  
TO HAVE IN EFFECT HONORABLE THE EIGHT(8) YEARS "SUSPENDED" PROBATION  
PARTICIPATION ON COUNT TWO(2) OF THE INDICTMENT I SUBMIT HONORABLE  
HAS AND DOES MIS INTERPRET AND MIS-APPLIED THE LAW.