

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-321

Complainant: No. 1456510561A

Judge: No. 1456510561B

ORDER

The complainant alleged a superior court judge has improperly delayed his case by involving advisory counsel when he previously was allowed to represent himself.

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 and the available electronic record, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of court rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: December 28, 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 December 28, 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

0012-321

COMPLAINT AGAINST A JUDGE

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.

On or About (9.04.2012) I had FTMC Scheduled
At the commencement of,
before the Court were numerous motion I
Filed To be Heard on (9.04.2012) However Judge
had the Clerk RESSUE ME AN "WAIVER OF COUNSEL
FORM" AS of (07/29/2012) Commissioner
granted my waiver then. After trying to
explain I was already on the record as PRO-
Reviewed it and appologized
for the mistake. Yet at the time of commen-
cement on (9.04.2012) @ FTMC motion to be
heard were denied. Judge
will not hear any motion due to me having
"new counsel" whom had no prior information
relevent to my case and re scheduled an oral
Argument to hear motion's (9.21.2012) And on
(9.21.2012) when motion to be heard should have
been, the States Attorney Objected to me
Self-representing myself. Judge
granted that objection and has been (3 months)
an absolutely no true progress has occur-
ried within this case. Judge
is allowing oppressive incarceration prior
to trial by moot and unnecessary rulings.

(Attach additional sheets as needed)

On or about: (7.2.2012) by and thru an "public @ oral" argument on my behalf stated: "the states attorney is trying to circumvent the Rule 8.3. provisions of Rules of crim proc. by dismissing charges late, just before the timelines would expire and refilled them to Restart the clock."

Judge reply was: "Counsel are you trying to say the state is trying to **Keep the defendant unconvicted?**" and then ruled granting the state prosecution. However I have made known to the state and judge that I shall practice my rights for an Speedie trial on the record.

Since (3.24.2012) Yes I have been indeed sitting here unheard with no successful progress such as in my defense within in this case at all. "None!"

Judge Since; (7.2.2012) and throughout (9.21.2012) has allowed certain Stealthy encroachments. The State by the foregoing have not as to minimize anxiety and concerns and the long delays Craftily have taken advantage without an fair hearing by undue delays and moot objections... Face me.

In addition to the merits herein, on; (9-21-2012). The State's Attorney Ryan Powell, and advisory Counsel the one that was lately assigned and without Information concerning my case.

Christina M. Scott before the Commencement of court were present, and I was called in later. Which has not been as usual procedure, inmates, for as long as I've been going to court have always been seated within the Courtroom before commencement.

During the commencement the "new counsel" who met only once and the State's attorney approached Judge as in secret right in front of me. However Judge stated; "He's PRO-PER please address your Issue openly."

As an defourant by the State, Powell and his accomplice the "NEW COUNSEL", Christina Scott said as a proxy to object to me being heard and handling my case, mentioned that "letters" sent by me to the States attorney raised concern as to my competency.

However in this same case at hand on or about (1/27/2012). I was once subjected to an Rule 11. Examination. and on about (3/15/2012), I was found competent by both examiner, and after (7/29/2012) by the order of Commissioner

I was granted the ruling to Self-Defend on my own behalf, also being aware of myself having an mental diagnosis.

Therefore Judge ruling In favor for the State's attorney has expressed bias by so doing. Now an Re-Evaluation Setting my case out further Rule 8.3. Timelines Stopped what's been 60 days. Said that concerns by the State and advisory counsel were grounds and reordered an Re-evaluation. Stopping the provision of Rule 8.3. Rules of crim proc.

Judge ruling was without consideration and has virtually undermined and overthrown the professional decision's of the former expert's who have personally examined myself and

Commissioner's
carefully throughout decision.

Judge I suspect has
some sought of previous agreement
concerning the main direction of
my case, at an oral argument on;
(7/2/2012) stated to undersigned
pretender; "Counsel it's going to be
hard to help him any way you go..."

Between the state the judge
and these bunk attorney's each of
these parties have stalled me delayed
due process and overruled against me
and now, I do believe that the
prolonged delays have harmed or
caused risk outweighing any useful-
ness evidence from the time of
occurrence until present date.

Point and Blank the Judge is
allowing the state's attorney Powell
to try and impair my ability to one,
defend myself in this case at
hand and/or either discouraging me
into signing some kind of plea bargain
and therefore cheat me by taking
this "hand in hand team work force"
approach trying to break me down.

In Final Judge _____ has over-ruled to any objection by me, and Commented in part for the record in part without; "My Mood changes from time to time, sometimes minute to minute. However If you are found competent I'll Love to give you a trial... and you shall represent yourself."

Despite the fact I've been in the Custody of lower buckeye jail 425 days, there has not been any deposition or any such mentioning by the State of genuine direction to get me to an trial said the state's attorney

"Your honor if he goes to trial he's facing at lot of time." as if, I'm unaware?

As far as dilligents and neutrality goes Judge _____ is not, From here Judge _____ has seemingly ruled in an one sided perspective and only for the interest of the State. "It is not good to Show partiality in judgement Maricopa!"