

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-335

Complainant: No. 1457410307A

Judge: No. 1457410307B

ORDER

The complainant alleged a superior court judge failed to advise him of his legal rights before he pled guilty to a criminal charge.

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: January 16, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on January 16, 2013.

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

Tucson, AZ 85734

State of Arizona
Commission On Judicial Conduct
1501 W. Washington St, Suite 229
Phoenix, AZ 85007

Re: Complaint Against a Judge

Judge's Name: _____

Location: 201 W. Jefferson
Phoenix, AZ 85003

Court: Superior Court, Maricopa County

Yes, case was before this judge.

a. CR2010. ; CR2008.

b. State of Arizona vs.

c. Attorneys: Christopher Corso, John Rhude,
Defense counsel; Brett Harames, Prosecutor

d. No witnesses

I affirm, under penalty of perjury, that the foregoing information and the allegations contained in the attached complaint are true.

Signature

12/3/12

Date

Attachment

Name: _____

Judge's Name: _____

Date: _____

Formal Complaint

On June 22, 2010, I attended my change of plea hearing before Judge _____ Pursuant to Ariz. R. Crim. Pro., Rule 17.2, Judge _____ had a duty to advise me of my rights and the consequences of pleading guilty, as well as submitting such on the record. Also, pursuant to Rule 17.3, Judge _____ had a duty to determine the voluntariness and intelligence of the plea, personally and in open court to determine if I wished to forego my constitutional rights.

As a result, I am unable to properly resolve my issues during my Rule 32 proceedings. Furthermore, Judge _____ refuses to address this matter. I believe Judge _____ actions constitute misconduct under Arizona Code of Judicial Conduct, Canon 2, Rule 2.2 - comments 1 and 3. I am requesting a investigation in reference to the above mentioned complaint.