

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-354

Complainant: No. 1430810629A

Judge: No. 1430810629B

ORDER

The complainant alleged a superior court commissioner engaged in misconduct by finding him competent to stand trial.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 31, 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 31, 2013.

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

2012-354

COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: December 12th, 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.

Commissioner continued prosecution of a felony case that was or should be known to a misdemeanor case. Commissioner exercised judicial misconduct by making erroneous orders reference competency fact findings.

Commissioner exercised judicial misconduct in conflicts of interests, having reviewed annual reports for

Commissioner misconduct extends to manipulating judicial monetary budget by extending court appearances for a case that Commissioner shouldn't even been assigned to, continuing court proceedings, and judicial privileges of fact find.

Also, it should be noted, previous Rule 11 court found

incompetent to assist counsel incompetent to stand trial from March 30th, 2011 - December 6th, 2011, in custody 3-19-11 / 04-23-11 and 8-30-11 / 12-06-11, Order by Rule 11 Court Commissioner / Judge

to dismiss due to incompetence on November 29th, 2011. From that case ending December 6th, 2012

until new case competency was had, although commissioner no treatment or medication restored competency nor referenced treatment since Commissioner Holding was reviewing annual reports (ma. Commissioner extended judicial misconduct by making of competence.