

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 12-356

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Complainant: No. 1458610710A

Judge: No. 1458610710B

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**ORDER**

The complainant alleged a superior court judge improperly refused to dismiss the charges against him knowing the state violated his speedy trial rights.

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 whether the complainant's speedy trial rights were violated. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: January 31, 2013.

FOR THE COMMISSION

George Riemer

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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

2012-356

### COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: DECEMBER 16<sup>TH</sup> 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.

ON SEPTEMBER 6<sup>TH</sup> 2012 AT THE CONCLUSION OF MY COURT HEARING JUDGE "CONFIRMED  
THAT MY "LAST DAY" IN "OT IS NOVEMBER 8<sup>TH</sup> 2012", ON SEPTEMBER 25<sup>TH</sup> 2012  
WITHOUT ME PRESENT JUDGE "ORDERED A HEARING FOR NOVEMBER 9<sup>TH</sup> 2012 EXACTLY ONE DAY  
AFTER MY LAST DAY OF NOVEMBER 8<sup>TH</sup> 2012. - THIS PARTICULAR HEARING WAS REQUESTED BY: COUNSEL FOR  
THE STATE AT WHICH TIME "JUDGE "CONFIRMED MY LAST DAY TO BE NOVEMBER 8<sup>TH</sup> 2012  
AGAIN EXACT ONE DAY AFTER SCHEDULED NOVEMBER 9<sup>TH</sup> 2012 HEARING. - WHICH WAS VACATED DUE TO  
ADVISORY COUNSEL FAMILY EMERGENCY ON NOVEMBER 9<sup>TH</sup> 2012. - AGAIN ONE DAY AFTER MY LAST DAY  
OF NOVEMBER 8<sup>TH</sup> 2012. ON DECEMBER 7<sup>TH</sup> 2012 EXACTLY 29 DAYS AFTER THE EXPIRATION  
OF MY LAST DAY OF NOVEMBER 8<sup>TH</sup> 2012 I HAD A COURT HEARING IN WHICH I IMMEDIATELY  
ADVISED MY ADVISORY COUNSEL THAT MY LAST DAY IN THIS CASE HAD EXPIRED 29 DAYS AGO ON  
NOVEMBER 8<sup>TH</sup> 2012?! ADVISORY COUNSEL IMMEDIATELY WENT OVER TO STATE  
ATTORNEY! THEN BOTH ADVISORY COUNSEL AND STATE ATTORNEY PROMPTLY WENT  
INTO JUDGES "CHAMBERS OBVIOUSLY OUT OF PRO-PER DEFENDANT'S PRESENCE TO  
ENGAGE IN EX-PARTE COMMUNICATION! ONCE ADVISORY COUNSEL, STATE'S ATTORNEY AND JUDGE  
RETURNED FROM JUDGES I INFORMED JUDGE  
THAT MY "STATUTORY TIME IN THIS CASE HAD EXPIRED ON NOVEMBER 8<sup>TH</sup> 2012" AND DUE TO  
THE FACT LAST DAY IN THIS CASE HAS EXPIRED BEFORE AND WITHOUT THE STATE BRINGING CASE TO  
TRIAL CASE SHOULD IMMEDIATELY BE DISMISSED IN ACCORDANCE TO CONSTITUTIONAL AND STATE LAW.  
JUDGE IGNORED THESE FACTS AND PROCEED TO ORDER HER CLERK AND OR  
SECRETARY TO CREATE A NEW MINUTE ENTRY AND BACK DATE IT TO READ AS IF MY LAST DAY  
NEVER EXPIRED!!! FOR THE RECORD AGAIN JUDGE "IS GIVING THIS ORDER ON  
DECEMBER 7<sup>TH</sup> 2012 EXACTLY 29 DAYS AFTER MY LAST DAY HAS ALREADY EXPIRED! JUDGE  
"ALSO INFORMED HER CLERKS AND OR SECRETARY TO MAKE THE NEW  
MINUTE ENTRY READ THAT DEFENDANT REQUESTED SEVERAL CONTINUANCE WHICH IS A BLATANT

(Attach additional sheets as needed.)

LIE AS THE ENCLOSED MINUTE ENTRY PROVE AND REVEAL THE FACT THAT THE STATES ATTORNEY ALONE REQUESTED NEW (404) HEARING DATES IN WHICH MY LAST DAY SUBSEQUENTLY EXPIRED! I HUMBLY REQUEST YOUR COMMISSION PLEASE LOOK IN TO AND THOROUGHLY INVESTIGATE THIS MATTER WHICH WILL REVEAL A UNFORTUNATE VIOLATION OF DUE PROCESS, VIOLATION OF CONSTITUTIONAL RIGHTS, STATUTORY CASE TIME LIMIT-TIMELINE VIOLATION COUPLED WITH A BLATANT JUDICIAL CONSPIRACY TO COVER-UP STATES ATTORNEY'S MISTAKES, ERRORS, AND VIOLATIONS BY THE "HONORABLE JUDGE" ON THE DATE OF DECEMBER 7<sup>TH</sup> 2012. THE FOLLOWING COPIES IS ATTACHED...

MINUTE ENTRY: SEPTEMBER 6<sup>TH</sup> 2012, CONFIRMING: LAST DAY REMAINS: NOVEMBER 8<sup>TH</sup> 2012 DEFENDANT PRESENT.

MINUTE ENTRY: SEPTEMBER 25<sup>TH</sup> 2012, CONFIRMING: TRIAL VACATED - HEARING CONTINUED, DEFENDANT - NOT PRESENT?, CONFIRMING: STATE'S ATTORNEY REQUESTED EMERGENCY STATUS CONFERENCE DUE TO <sup>STATE'S</sup> UNAVAILABILITY ON THE DATE SET FOR NOVEMBER 9<sup>TH</sup> 2012. CONFIRMING: LAST DAY NOVEMBER 8<sup>TH</sup> 2012 - EXACTLY ONE DAY BEFORE SCHEDULED HEARING ON NOVEMBER 9<sup>TH</sup> 2012.

MINUTE ENTRY: DECEMBER 5<sup>TH</sup> 2012, CONFIRMING: "JUDGE" IN THIS MINUTE ENTRY ALTER'S DOCUMENT TO READ THAT DEFENDANT, THROUGH ADVISORY COUNSEL FILED A MOTION TO CONTINUE TRIAL AND DEFENDANT WAIVES TIME? OUT RIGHT LIES AND FABRICATION AS ENCLOSED AND ATTACHED SEPTEMBER 25<sup>TH</sup> 2012 MINUTE ENTRY CLEARLY REVEALS PROVES AND CONFIRMS THAT IT IS AND WAS THE STATE'S ATTORNEY ALONE AND "NOT" THE DEFENDANT WHO CALLED A EMERGENCY HEARING REQUESTING CONTINUANCE ON SEPTEMBER 25<sup>TH</sup> 2012! AS "JUDGE" HAS WRONGLY ASSESSED AND ALTERED THE RECORD TO REFLECT!!!

#3

CONFIRMING: JUDGE " ON DECEMBER 5<sup>TH</sup> 2012 MINUTE ENTRY  
"ORDER EXCLUDING TIME" - ORDER IS 29 DAY PAST MY LAST DAY  
EXPIRATION DATE OF NOVEMBER 8<sup>TH</sup> 2012. THEREBY FACTUALLY PROVING  
JUDGE " INTENTIONALLY, PURPOSELY, BLATANTLY VIOLATED MY  
CONSTITUTIONAL RIGHTS, VIOLATED MY CIVIL RIGHTS AND VIOLATED MY RIGHT TO  
AN ADJUDICATION OF MY CASE WITHIN THE STATUTORY TIME FRAME AND  
LIMIT ALLOWED BY LAW. AGAIN I RESPECTFULLY REQUEST STATE OF  
ARIZONA COMMISSION ON JUDICIAL CONDUCT LOOK INTO AND INVESTIGATE  
THE JUDICIAL MISCONDUCT IN MY CASE. THANK YOU VERY MUCH FOR YOUR  
VALUABLE TIME AND ATTENTION. PLEASE REPLY BACK SOON!

RESPECTFULLY SUBMITTED THIS 16<sup>TH</sup> DAY OF DECEMBER 2012 BY;