

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-014

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Judge:	No. 103981922A
Complainant:	No. 103981922B

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**ORDER**

The complainant alleged that the judge displayed an inappropriate demeanor and abused the contempt of court power.

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 review, the commission approved sending the judge a private comment reminding him of his obligation to comply with Rule 2.8(B) of the Code, which requires judges to be patient, dignified, and courteous to litigants, even under difficult circumstances. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: August 12, 2013.

FOR THE COMMISSION

/s/ Louis Dominguez

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Louis Frank Dominguez  
Commission Chair

Copies of this order were mailed to the complainant and the judge on August 12, 2013.

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

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

In Re Contempt of:	)	NO.
	)	
	)	SUMMARY CONTEMPT
	)	CITATION
Defendant.	)	
_____	)	
_____	)	

Pursuant to Rules 33.1, 33.2(a), and 33.4, Arizona Rules of Criminal Procedure, and Status Conference held

It is ORDERED finding defendant in direct summary contempt.

It is further ORDERED defendant shall be sentenced to thirty (30) days flat time in the

The jail sentence imposed in this case shall be served consecutively to any jail term imposed as a condition of probation or prison term imposed in

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If no jail term or

4 prison term is imposed in

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7 imposed in this case shall commence **immediately** following

8 sentencing in

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are dismissed, the sentence imposed in this

13 case shall commence **immediately** following dismissal of

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are resolved in the form

18 of dismissal or sentencing on different dates, then the contempt

19 sentence imposed in this case shall commence on the date of

20 sentencing/dismissal of the last case to be resolved.

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22 **It is ORDERED vacating the original sentence of two six-**  
**month jail terms announced**

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In support of the Court's Summary Contempt Citation, the

24 Court finds that defendant engaged in the following contumacious

25 behavior in the courtroom in the presence of court staff and

26 approximately forty (40)

participants seated in the

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1 gallery:

2 Defendant disagreed with the Court's intention to terminate  
3 a participant and stated, "[T]hat's  
4 fucked up. Pussy-ass judge." See Copy of Transcript dated  
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6 Based on defendant's conduct, the Court finds beyond a  
7 reasonable doubt that defendant willfully engaged in direct  
8 contumacious conduct that obstructed the administration of  
9 justice and lessened the dignity and authority of the Court.  
10 Rule 33.1, *Arizona Rules of Criminal Procedure*.

11 The Court further finds that the summary imposition of  
12 sentence at the time defendant's conduct occurred was necessary,  
13 given the nature of defendant's conduct and the fact that  
14 defendant's conduct occurred in the presence of the Court, Court  
15 staff, Under these  
16 circumstances, prompt punishment was imperative to restore order  
17 to the courtroom proceeding and to protect the dignity and  
18 authority of the Court. Rule 33.2(a); *Arizona Rules of Criminal*  
19 *Procedure*.

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