

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-044

Judge:	No. 1462700112A
Complainant:	No. 1462700112B

ORDER

The complainant alleged a superior court judge improperly refused to let him plead no contest, ruled against him on evidentiary issues, and made an inappropriate comment at sentencing.

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 complaint and the recording of the hearing on March 1, 2013, 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 the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: April 19, 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 April 19, 2013.

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

COMPLAINT AGAINST A JUDGE

Your name

Judge's name:

Date: 4-5-13

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

- ① On Jan 19th 2012 I was Arraigned on 2 class 6 felonies; Judge did not allow me to plea NO contest and take care of it that day.
- ② When I finally went to trial in Feb 2013 (14 months later) he denied motions for evidentiary hearing and suppressed the A.A. in convicting me and hear say evidence.
- ③ TWO DAYS AFTER my trial 92 pages of criminal history on the victim were found. We had asked the city police specifically and in pre trial interviews where they both committed perjury. All these requests were to discover impeachment evidence on the victim and also tried to interview the guardian of the victim and Judge denied these motions.
- ④ After finding all this we filed a motion for a new trial in the Superior Court of the state of Arizona in and for the county of Mohave based on Failure to disclose material that was prejudicial, as the suppressed evidence would create a reasonable probability of a different result. - US v Bd 1050, 1053 (9th Cir 2007).
denied the motion and while sentencing me on March 1st 2013 he said "I can do whatever I want" (check the transcripts) and gave me an excessive sentence of 12 years flat.

Please confirm all this with my Attorney and witness

(Attach additional sheets as needed)

Thank you