

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-126

Judge:	No. 1101913695A
Complainant:	No. 1101913695B

ORDER

The complainant alleged a pro tem municipal court judge allowed perjured testimony to be presented to a jury and improperly denied him the opportunity to present character witnesses and other evidence in his defense.

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, 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: June 27, 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 June 27, 2013.

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

MAY 22 2013

05-16-2013

COMPLAINT AGAINST
CASE #

State of Arizona
VS

On 05-14-2013 a trial was held at Court in Court Room 2. I, arrived at 8 A.M. at the courthouse. I went into court room 2 and waited for the activities to begin. I had been charged with reckless driving and failure to provide my insurance to a motorcycle driver who had crashed all by himself in a roundabout located at 96th street and . I saw a weird event in which the prosecutor never told me about before this moment. We had a new Pro Tem judge named

She came in shortly after 8 A.M. and started talking to a female police officer name . They were talking about they had met a week before on the street the judge lived on. Officer was "kissing her ass" by telling the judge she was going to do something about what Judge disliked (unimportant). Then the judge turned to me and asked me if I had a problem that she had met Officer the week before. I informed her I did not but had a problem of why the presiding judge was not there to moderate the trial. She claims he was on vacation and she has much more experience than he has and she has sat as an appellant judge in Superior Court and has much experience and inferred she was extremely competent. That turned out to be completely untrue from my viewpoint because of my following **allegations of fact** against this judge:

- (1) Judge et a female officer **sat next to prosecutor** during the whole trial who testified at the trial when all witnesses were suppose to remain outside until they testified. One exception would be the so called "victim" who by law according to could remain the whole trial. Officer ; has a butch haircut which indicated she is lesbian. I agree an irrelevant belief but kind of set the tone for the trial Woman Judge a woman prosecutor and a female dyke cop sitting in when the judge agreed with me no one would be allowed if he or she was going to testify later in this case.
- (2) Judge allowed "perjury testimony" into her courtroom which can be proved by me today with the official transcript of the trial on 05-14-2013. I will go into this in detail later. I know it to be perjury because I am the only witness to the accident besides two other men who testified they both only saw the motorcyclist when he "laid the bike down" fact. The prosecutor clamed in her closing rebuttal argument the two witnesses testified for the victim when in fact that was not the case. Judge did **nothing** at any time to denote the "lies" and perjury committed at the trial. The transcript clearly shows officer not telling the truth on two major points: (a) Officer testified that I told her in her investigation that the front tire hit the curbside but later recanted this when I cross examined her (b) Officer said I said "I saw the motorcycle" before I entered the roundabout which is a provable lie. I was hoping

- the jury would catch this one because if you listen to the 22 minute tape it clearly denoted everything I said when I gave my statement what had happened during motorcycle accident.
- (3) Judge _____ allowed the tape to be heard by the jury even though **I did agree** to it but she knew it would prejudice jury. It had a statement where I said “I would like to kick the shit out of this cop” who started to protect office _____ when she started misbehaving. She testified I said this to her which was far from the truth. She wanted the jury to believe I would kick the shit out of a woman. Clearly I said it to the male cop who was intervening while I was making a statement. Judge _____ knew this but never said a word. The truth of the matter is I had three incidents with Scottsdale police in 25 years in which they were clearly wrong and was not aware of it. The biggest one was “mistaken identity” whereupon the police were chasing a guy on a moped and found me driving 2.5 hours later and thought I was the guy that avoided them. It turns out when they were chasing the guy I was at Sky Harbor airport picking up my sister and brother-in-law. I was not charged but was abused mentally and physically by a cop named officer _____. When I was in handcuffs he pinched a nerve in my neck. He never suffered any consequences due to his bad actions.
- (4) Judge _____ knew this case had two different versions by the victim and by me (eye witness). Because it was a he/she story kangaroo court hearing I decided I needed a character witnesses at break time and went and picked him up at the C.P.A. firm my family owns. His name is _____. I informed the prosecutor he was to replace my sister _____ who could not make it for the trial because of other responsibilities. He was to be a character witness who would testify I am a good driver and I would not tell lies even it meant my own self interest was at stake. Judge _____ chose to agree with the prosecutor and denied me my only character witness and only witness period. She knew somebody was committing perjury because of the different facts testified to from the so called victim and myself, the accused. I told her this case would hinge on credibility and character and she told me she did not care and he could not testify. I informed her I object and proceeded on with the trial.
- (5) Judge _____ threatened me at the trial with the police during the trial because the prosecutor kept objecting when I was trying to reveal the lies in the case via witnesses. She even cleared the jury once and gave me a verbal admonition. She is clearly a former prosecutor. She also made verbal comments indicating her prejudice in this case. This you would have to go to the record to find.
- (6) In my closing arguments I was going to read to the jury the Wikipedia encyclopedia definition of reckless driving. My point here was common driving mistakes could not be deemed as reckless driving. The prosecutor objected and she sustained the objection and informed me I could not read it to the jury. This is a clear mistake by her because the jury never had any idea of what true reckless driving is and how to match it up to the facts. I thought the definition was extremely informative because it revealed reckless driving could not be reached by common mistakes but a mental intention had to apply.

There were other mistakes made. You would never want to let this lady handle any important cases in the future. She had trouble with simple math at the trial on jury selection. She definitely had trouble in mathematics in college and is extremely not logical. I'm a 22 year tax practitioner. I prepare some of the most complicated tax returns that ever were filed in the United States. Trust me Judge has no brains. Furthermore, the prosecutor believed her victim that actually created a crime when there was no crime. She is a plain Jane and has a very low IQ because she never caught on to her lying client. The State of Arizona took the side of a liar and he now will get money out of the insurance system. The system will collect fines from me and benefited by being corrupt and an inherently evil system. I would take all the criminals in the world over the cops and judges. Why? Because the criminals are sick and desperate but you guys are generally intentionally bad.

I choose **not to appeal** the case. The prosecutor tried to make a deal with me all charges would be dropped if I let the con man motorcyclist collect on my insurance. I refused because I tried to change this **crazy roundabout law** within Arizona and the country. Motorcyclist can now enter a roundabout throw down there bike and accuse you of making them do it and change the facts at trial and collect large sums of money. Great job senators you are impressive. One closing thought: the designated victim in this case claimed he was wearing a 'helmet' but could see me eye to eye. Think about that? Furthermore, he claimed I just went ahead and pulled out in front of him. Furthermore, he claimed he skid 21 feet but he was going 10 mph in a 35 mph zone. I guess if that jury is that stupid than you guys will get along perfectly in the future.