

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-166

Judge:	No. 1056114565A
Complainant:	No. 1056114565B

ORDER

The complainant alleged a superior court judge yelled at him and violated his right to a speedy trial.

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 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 legal issues. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: July 25, 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 July 25, 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

2013-168

COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: 5/27/2013

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.

Judge is creating preindictment delays by prejudic -
Respectfully on May 14, 2013 at a 9:30am hearing
called my case, address counsel and
briefed concerning the final disposition of my
case to be tried. After hearing the matter defen-
se counsel whom has been appointed
to this case by judge Hegyi on January 15, 2013
asked to excluded all time for final disposition
of any untried indictment after judge reviewed the
courts trial schedule Hegyi reported their were two
available dates to have my case dispose, However
appointed Counsel could not be available for any
of the dates; excluded all my last day to
have case tried four (4) months out without the
consideration I have given the Judge several
Written Notice request to be brought to trial as
Rule 8.2 and 8.3 of Ariz. R. of Crim. Proc. provide
within 90 days) However when I objected to the
harassive exclusion and violation of rights to
Speedie trial turned to me and shouted;
"You need to shut up" + am talking to Counsel and
you are at most the part of any exclusion," I don't
Understand How a judge can violate my right then
demand I Shut up? am I a Child to you
The Judge is "impartial" and must be disqualified. -

(Attach additional sheets as needed.)

I am charged with an "assault on officer" Class Four (4) and Three (3) felony offense... I have been awaiting to have the case finalized is permitting and creating anxiety by the harassment of charges and pre indictment delays, I've been in custody on the same indictment since "October 15, 2011" 589 days (5) Five time(s) over the time limits to lawfully have this case tried and finalized... No rulings this Judge has made has presumed to a trial nor "Final trial Conference's", Since has had assignment to this case. On April 26, 2013 when the Judge granted the state's request to appoint myself counsel in his adjudicational remarks looks at me and with a certain look as if I am a character out of "Alice and Wonderland" reported these of his opinion: "I think you a likable person" However I can see your "MENTALLY ILL" and with a certain smirk stained on his face after just insulting me. I can't bear Impartially's He is as prejudiced as black and white can get and must be removed!" -

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Commission on Judicial Conduct
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Phoenix, Arizona 85007

FOR OFFICE USE ONLY

COMPLAINT AGAINST A JUDGE

Your Name: _____

Judge's Name: _____

Date: 5/28/13

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.

Respectfully to the extent I understand these complaints against a judge will be published and a COPIE forwarded to the judge whose complaint is asserted against. "let me be understood", My last complaint against Judge is in "ERRATA" as follows; "I complained is" as prejudic as "black" and "white" can get... "etal," "Parclon; (cc Please Excuse Me)) misrepresentation of words. —
Respectfully my apologies what I should or meant to actually say is the judge's "decision" towards myself are not for the majority; In good faith and to me "I feel" the Judges Decision are impartial to the degree; (1.) one, On September 21, 2012 at the request of previously assigned County attorney with the foreknowledge concerning my demand an interest to have a speedy trial vacated all my Final Disposition of untried indictment to which I should have been brought to trial on, as of, November 30, 2012 perfering that the state has concerns of my abilities to stand trial, granted the state's request underestimating my own' objections to the state motion and consequently caused by ruling all Final Disposition of this case by Trial, RESTARTED due Exclusion's of time. It is not clear that Judge ever Consider's sampled in this situation I would be untried for a time accrual up to, 306 days...
continue....

(Attach additional sheets as needed.)

On the preaccusational delays by pretense of that prior county attorney, who, was assigned to case suggesting a letter I sent that attorney raises concerns, why not have then, in good faith rescind my Pro Per Status an appointed counsel? then, I could at least relax and secure the presumption of this case becoming finalized. Instead Judge _____ Places me under Rule 11.1 at the request of the State. and I must add I just came out of a Involuntary mental health Incompetency rule 11 exam which harmed my time to be brought to trial previous, around March 15, 2012 then for _____ to grant an additional examination of competency is dreadfully blinding and horizon of me haven my rights acknowledge to be brought to trial on any untried indictment!

And two; On January 15, 2013 I would satisfactory return to the trial courts from the mental Health court ready for trial Competently determined twice again Over and First motion/request is for my "speedie trial" and after three and a half months (3 1/2) mons. Self defemling the State again request to conflict with progress to be brought to trial by motioning to rescind my Pro Per Status and reappoint counsel on April 26, 2013.

granted that motion by state and to add insult to injurie EXCLUDED Final Disposition of any untried indictment... I've been detained 589 days w/o prosecution caused by _____ granting of state's delays!!!