

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-167

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Judge:	No. 1030114711A
Complainant:	No. 1030114711B

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**ORDER**

The complainant alleged a superior court commissioner conspired to enhance his sentence by trumping up a failure to appear and then dismissed the case to cover up his misconduct and had the charges refiled through another prosecutor before a different judge.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: August 1, 2013.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on August 1, 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

2013-167

## COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date: 6.21.13

**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.

On 9-4-12 I was Assaulted by Maricopa County Sheriff's for seeking medical attention after being attacked by bees. I was slammed to the asphalt, cuffed, leg chained then picked back up while cuffed and chained and slammed to the asphalt again and again for a total of about 3 to 4 times by

. After being slammed to the ground for about the 3rd or 4th time I started to black out. Started to come to in an ambulance, saw give me a shot in the neck and I woke up in the Hospital a few days later.

When I woke up I was handcuffed to the bed and I asked the Sheriff who was sitting next to me why I was cuffed?

He told me your going to jail for Aggravated Assault, never read me my rights just took me to jail. As Court came I was out on Electronic Monitoring ankle Bracelet so I saw who was acting rather strange to me

lauffing and joking with the Clerk and others! Any ways was presenting me my charges and told me I was looking at prrsion time because of my failure to appear that i did not have, "I was at my court dates", I argued.. I even told him i had an electronic monitor from Pre-trial Services to prove i was in my court dates but he said he believed i probably wasnt so he gave me a failure to appear that enhanced my sentence to put me D.O.C eligible cause i have stayed out of trouble since 2004 by raising my 2 boy's.. So he had the prosicuteer write me up a plea on the spot for d.o.c...

I asked for some time to consider his offer so he set another court date... I left the court room and told my public Defender she's fired that i wanted a new Public defender and a new Judge!

She asked why? I told her you just let the Judge fabricate a failure to appear just to enhance my sentence to make me eligible for D.O.C, he didn't even look or ask to see the transcripts from pre-trial services on the Ankler Brace/let that would prove i was at court, he just gave me a free charge! So the next court date comes around and the Sheriff who was on the stand is the officer who wrote the report for the Sheriff's involved... So all his info was hear say! So I had 2 new public defenders now, one lady and a man who was training this new lady.. Also in the court room were about 5 new public defenders who were being trained also so they were sitting in to observe!

So as the session progressed the Judge started to drop charges but at the end of the day:

Decided to schedule for Trial..

So I scheduled the next court date and I left...

On my way to the next court date I was ready, I got to the court to sign in and I was informed that the case was dismissed!

I then went to have the Electronic Bracelet removed and went on with life...

Months later I got pulled over in Goodyear in my friend's truck and I was arrested on the refiled charges that were previously dismissed...

I knew I caught him trying to fabricate a felony to enhance my sentence to send me to D.O.C... So he proceeded to try to cover it up by dismissing the case and then sweeping it under the rug for a bit, then re-filing it later under a new Judge, new prosecutor and new Public Defenders...

During the time of the dismissal of the charges and the re-filing of the

charges I know for a fact my rooms and places i was staying were being broken into to try to steal or alter papers work that I have/had that showed his mis-conduct! At least 3 places i can prove were broken into and i can prove it... Now im being held in Jail so I cannot get to my evidence to help prove my innocence because i do not trust anyone to get my original Documents that have since been altered! My public defender is trying her hardest to make sure i cant get out by combining charges so i cant bond out, <sup>would not let</sup> me plead for modification of my release conditions at my Hearing where my attorney told me to be Quiet and dont say a word! Breaking my Constitutional Rights to be heard!