

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-282

Judge:	No. 1090914795A
Complainant:	No. 1090914795B

ORDER

The complainant alleged a superior court commissioner violated his rights by not allowing him to withdraw his plea and improperly sentencing him to five years in prison.

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. 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: December 11, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the commissioner on December 11, 2013. erroneous

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

2013-282

COMPLAINT AGAINST A JUDGE

Name _____ Judge's Name _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

or I was sentenced to _____ by the judge _____
My plea agreement was _____ years. Under Rule 17.4 of the Ariz.
R. Crim. P 17.4 (e) if the plea is rejected by the Court it shall give
the defendant an opportunity to withdraw his or her plea, advising
the defendant that if he or she permits the plea to stand the
disposition of the case may be less favorable to him or her than
contemplated by the agreement. In the above matter
never gave me the opportunity to withdraw from the plea. In
fact they didn't even have a pre-sentencing report done and
just went ahead with sentencing and gave me the _____
which is in direct violation of rule 17.4 (e) of the Ariz. R. Crim. P