

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-057

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Judge:	No. 1100914895A
Complainant:	No. 1100914895B

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**ORDER**

The complainant alleged that a justice of the peace knowingly violated the law and was biased in favor of the prosecution.

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

Dated: March 26, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on March 26, 2014.

*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**

**2014 057**

**COMPLAINT AGAINST A JUDGE**

On \_\_\_\_\_ at approximately \_\_\_\_\_ a.m. while engaged in my sole income-producing activity of delivering newspapers for the \_\_\_\_\_, which runs through \_\_\_\_\_ University \_\_\_\_\_, I was stopped by the \_\_\_\_\_ University Police Department \_\_\_\_\_ for allegedly following too closely and allegedly going \_\_\_\_\_ in a \_\_\_\_\_ zone.

Because I had been cited the previous day at approximately the same time of day while engaged in the same activity, by the same police for allegedly running a stop sign. And believing that I was being racially profiled and entrapped; knowing that the police were already in possession of my identification and having inadvertently left my ID at home, I declined to show identification when it was demanded.

After the police informed me that I was not under arrest and that I was stopped only to submit necessary information so that a citation could be issued, and further informed by these same officers that they were indeed in possession of all my information and even knew me by name (The record speaks for itself – The citation was accurately issued to me without me producing any ID), I left the scene of the stop and told the officers to send me the citation in the mail. I was later followed by the police and arrested for failure to obey a police officer (A.R.S.28.622) and failure to show ID (A.R.S.28-1595).

I was taken to the \_\_\_\_\_ Detention Facility ( \_\_\_\_\_ ) where I was booked and held in a jail cell until later that day when I was arraigned by video. At my arraignment before **Justice of the \_\_\_\_\_** ( \_\_\_\_\_ ), I was released on my own recognizance (ROR). However, upon my return to the cell, on account of my refusal to provide fingerprints and photographs, I was detained without criminal charges filed against me and in violation of the court's order that I be released.

I was held for approximately four hours on no criminal charge, shackled and chained and transported to the \_\_\_\_\_ County \_\_\_\_\_ Court where I was brought again before \_\_\_\_\_ for a second arraignment, in violation of the United State's Constitution's proscription against double jeopardy.

At my second arraignment, \_\_\_\_\_ who knew me personally from having met me in \_\_\_\_\_ at a \_\_\_\_\_ celebration, was told by the detention officer that I was there because I refused to be fingerprinted and photographed. When the judge asked me why I refused to comply with those requests, I explained that because of my status in the community (I am a licensed attorney, Bar \_\_\_\_\_, a former \_\_\_\_\_ attorney, a former Assistant District Attorney, \_\_\_\_\_ who is seeking employment in \_\_\_\_\_, an arrest record would likely destroy my life and furthermore, the arrest was unconstitutional and I should not have been arrested in the first place.

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**COMPLAINT AGAINST A JUDGE**

read A.R.S. 41-1750(A)(1) which averred that fingerprints were, indeed, NOT required in my case. The judge, however, said he was uncertain how to proceed and sought advice and counsel from the county attorney. When the county attorney came in and asserted that the policy served a "good" purpose of keeping accurate records, over my objections that the law in my case (A.R.S. 41-1750(A)(1)) did not require it, ordered that I be fingerprinted.

In addition to the facts that I was standing in front of this judge, who is supposed to represent neither the state nor the defendant, in chains and shackles without criminal charges filed against me; that I had no attorney representing me; that he was determining the conditions of my release for a second time on the same charges; that he had ordered my release and I was appearing in front of him in violation of that order; that the law itself (A.R.S. 41-1750(A)(1)) did not require my fingerprints, he called in the county attorney, my adversary, to ADVISE him on how he should proceed!!

This day in court was a disgraceful, unconscionable violation of everything the Constitution of these United States was drafted to uphold and defend!! I might as well have been Jesus Christ standing before Third Reich!! There was nothing, not even the law (A.R.S. 41-1750(A)(1)) which had been enacted with this very scenario in mind, to protect me. The county attorney, himself, my adversary, was sitting on the bench and speaking out of mouth for there was no impartiality whatsoever in these proceedings. If this judge is allowed to continue with this sort of incompetence, the citizens of the City of and County of will have no protection from the United States Constitution whatsoever.