

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-081

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge made inappropriate comments and reached an erroneous conclusion.

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

Dated: June 25, 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 June 25, 2014.

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

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State of Arizona  
Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

**FOR OFFICE USE ONLY**

2014 081

**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.

On \_\_\_\_\_ we went before Judge \_\_\_\_\_ with our attorney \_\_\_\_\_ to appeal a case for our son, \_\_\_\_\_ against the Az. \_\_\_\_\_ Standards and Training Board \_\_\_\_\_. This case was brought to court because it had originally been heard by an \_\_\_\_\_ who made serious errors in \_\_\_\_\_ decision that \_\_\_\_\_ used as the basis for advising the board to take action against the police certification of \_\_\_\_\_. A major error was when the \_\_\_\_\_ stated that later at the police station when questioned by his Sgt \_\_\_\_\_ lied. The facts of the case clearly show \_\_\_\_\_ was not questioned at all later and there are witness statements to prove this. The Attorney representing \_\_\_\_\_ at that time, \_\_\_\_\_ filed a notice of objection due to the errors and the Board although admitting this had never happened before and that they were not comfortable changing the judges words, under the advice of their attorney \_\_\_\_\_ did in fact change the judges words but did so in a way that supported their case instead of seeking truth. \_\_\_\_\_ was then hired and went before the board asking for a new hearing or a reconsideration by the \_\_\_\_\_ and was denied both. Mr \_\_\_\_\_ then filed an appeal with Superior court because the board denied \_\_\_\_\_ his constitutional right to a fair hearing when they became aware of the errors, refused to give him a new hearing or a reconsideration and changed the judges words without the judges knowledge or permission. Judge \_\_\_\_\_ however did not bring up this constitutional right denial at all even though the brief submitted by Mr \_\_\_\_\_ stated plainly that there is a remedy for when the legal system does not work as it should and that would be a rehearing or a reconsideration by the \_\_\_\_\_. Instead Judge \_\_\_\_\_ spent most of his time on the bench complaining about how many of his decisions are overturned and how he only has \_\_\_\_\_ legal assistants while the three court judge has \_\_\_\_\_ legal assistants. We all sat there amazed listening to these complaints the judge made about his job instead of his dealing the case before him. When he finally spoke about the case he totally ignored the reason for the appeal and focused on his belief of guilt even though the case paperwork showed that \_\_\_\_\_ was only guilty of solicitation of a false call. The final decision by Judge \_\_\_\_\_ was against \_\_\_\_\_ however even our lawyer, Mr. \_\_\_\_\_ was unable to find the legal reasoning for the decision in the judges decision paperwork. All of the court paperwork is enclosed and while we know you cannot change the decision we believe our son did not get a fair hearing before Judge \_\_\_\_\_ who did not seem to understand that the case was about a constitutional right to a fair hearing being denied by the board when they

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COMPLAINT AGAINST A JUDGE

Name: [redacted] Judge's Name: [redacted]

**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.

became aware of the errors made by the [redacted] and did not grant a new hearing or a reconsideration which were the proper legal remedies available to them in a situation like this and instead chose to change the [redacted]'s words to suit their case instead of seeking truth and justice. Judge [redacted] never discussed this at all and the little time he spent discussing the case in the courtroom showed he was focused on guilt or innocence in his opinion and instead spent the bulk of his time complaining from the bench about his job as a judge. To say this was bizzare is to put it mildly and then to get his decision which even Mr [redacted] an attorney could not fully understand is a disgrace. Granted this was a complicated case but even an average citizen can understand that what the board did was wrong and what judge [redacted] did was beyond belief. While I am not an attorney and am just an average citizen of Az I had up to this time expected a Superior court judge to understand both the law and constitutional rights and it seems to me that if this judge is so unhappy with his job as a judge then he should be replaced with someone more knowledgeable who actually wants to Do the job.

The JUDGE AGREED WITH THE BOARD THAT THEY HAVE MORE EXPERIENCE & EXPERTISE IN THESE CASES THEN THE COURTS THEIR DECISIONS SHOULD STAND. THAT MEANS THERE IS NO POINT IN HAVING [redacted] HEARINGS AS THE BOARD CAN IGNORE THEM OR AS IN THIS CASE SIMPLY CHANGE THE JUDGES WORDS. IT ALSO MEANS WE NO LONGER NEED JUDGES OR JURIES AS THE PROSECUTOR HAS MORE EXPERIENCE & EXPERTISE IN DEALING WITH CRIMINALS THEN A JURY DOES SO IN EFFECT [redacted] COURTS & JURIES ARE NOT NEEDED AS THE CITIZENS OF THIS STATE HAVE NO CONSTITUTIONAL RIGHTS AND IT WOULD BE MORE AFFORDABLE FOR CITIZENS WHO WOULD NO LONGER HAVE TO PAY ATTORNEY FEES TO SIT IN COURT AND LISTEN TO A 3 JUDGE complain about his job.