

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-101

Judge:	No. 1570014928A
Complainant:	No. 1570014928B

ORDER

The complainant alleged a superior court judge had ignored corruption in the executive branch, allowing the government to hold him in prison without a fair trial for over nineteen years.

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: May 21, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on May 21, 2014.

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

COMPLAINT: Judge

In addition to the enclosed copy of my letter to Judge dated , I offer the following additional information:

I've been held prisoner by the State of Arizona for over years without a fair trial, meaning, without trial.

The sentencing hearing conducted by Judge , following the U.S. Court's decision, occurred on . The court-appointed defense attorneys were and , while the government was represented by .

The Rule 32-PCR evidentiary hearing conducted by Judge occurred over days in , with his ruling being issued on .

The defense lawyers were and represented the government. Attorneys , and appeared as witnesses.

It is understood that while a conviction is on appeal or collateral review, Arizona law requires judges to view evidence in a light that's most favorable to the prosecution.

While this effectively makes the judge a part of the executive branch of government, potentially violating the separation of powers required by the U.S. Constitution, it does not allow the judge to ignore the law in order to uphold a conviction.

In my case, [redacted] has blatantly ignored the decisions of the Court in numerous cases, to include but not limited to:

Brady v. Maryland, 373 U.S. 83 (1963);
Kyles v. Whitley, 514 U.S. 419 (1995);
Holmes v. South Carolina, 547 U.S. 319 (2006);
U.S. v. Alvarez-Machain, 504 U.S. 655 (1992).

Judge [redacted] ruling in my Rule 32- makes clear that he feels he's entitled to ignore the law, as long as his blind faith in the police and prosecutors lead him to conclude that I am guilty - thereby making a

fair trial unnecessary.

Furthermore, Judge _____ ruling fails to address or even acknowledge the fact that the Defense proved the lead detective had committed perjury as a means of deceiving the grand jury and obtaining an indictment.

The Defense proved that same lead detective had edited exculpatory portions of conversations from the State's wiretap trial exhibits.

This allowed the prosecutor to directly challenge my credibility as a sworn witness by falsely arguing I'd lied and fabricated stories.

The Defense also proved that the government had manufactured a false wiretap pen-link report, to conceal the fact that exculpatory wiretap recordings were deleted.

Judge _____ failed to take action after the Defense proved through the testimony of _____ that the _____ County Attorney's Office had a past relationship with a proposed _____ party defendant.

Prior to trial, _____ repeatedly denied the existence of any past relationship with this individual, as they opposed my _____ party defense that named their agent.

Despite the seemingly endless proof of misconduct and corruption by the police and prosecutor, and the doubts that are now raised about the integrity of all the evidence used at trial to secure a win-at-all-costs conviction, Judge _____ has failed to take any corrective action.

By ignoring the corruption of the executive branch, and allowing the government to act with impunity, Judge _____ represents a lack of judicial independence that is a threat to the public's safety. This is especially true now, due to the government's increasing lawless intrusions.

Judge _____ overt bias, his lack of integrity and impartiality, and his disturbing disregard for

the law, undermine the public's confidence in the judicial process, and make the very existence of his court pointless.

Judge questioning of my attorney about her religion, the comments about her accent, and the resulting intimidation, are inexcusable, and serve to bring disrepute to the judiciary.

Judge is the epitome of why Arizona's reputation is that of a racist, xenophobic, third world state that is controlled by a lawless executive branch of government, with the full complicity of the courts.

enc. Letter to Judge
6+3 pgs.