

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-170

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Judge:

Complainant:

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**ORDER**

The complainant alleged that two superior court judges overlooked both the truth and facts in his case.

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

Dated: July 28, 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 judges on July 28, 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**

**2014-170**

**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 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.

\_\_\_\_\_ WAS A PREVIOUS CO-WORKER TO  
AND LIE IN OPEN COURT ABOUT  
THIS ISSUE - IVE WRITEN AS MUCH AS I COULD  
PLEASE SEE ATTACHED

\_\_\_\_\_ FILED FALSE CHARGES AND SHE WAS  
MY EX-WIFE - THE TRIAL JUDGE DISPLAYED  
PREJUDICE

\_\_\_\_\_ PLEASE READ \_\_\_\_\_ BEFORE READING  
\_\_\_\_\_ TO BETTER UNDERSTAND MY CLAIM

to: the Arizona commit for judicial misconduct

in my wife worked for the county as a domestic violence advocate and one of her co-workers was prior to taking the bench as a judge, worked for the county as a prosecutor of domestic violence, and sexual assault. My wife at the time of his transfer to judge, was dropped off at a going away party for Mr.

I left my wife in for having an affair with a With the department. A year after the divorce my ex-wife found out that I was to re-marry another woman on four days after on the I received a call from to find out that she filed charges of per domestic violence against me, And told me she was going to put me away for prior to trial.

The case wound up in front of none other then ( the co-workers ). in the post trial hearing to vacate sentencing was presented with a letter from the alleged victim in this case who happens to be my The letter explained that she over heard her mom and aunt lie to have her dad put in for a long time.

When I was first accused of these charges I asked that be taken in an an exam be done on her, on was done by ) to and signed off on by the same day. Mr. had an office in place, an office moved to after working for the county. was presented with all this evidence.

The first trial was dismissed and remanded back to county for retrial. I was held in county For waiting for the trial judge to do his job and move the case along.

In during a mitigation hearing was asked to re-cuss himself when I brought up the fact that he and worked together and there was a conflict of interest. He told me at that time that ( he had no idea who my ex-wife was prior to the first trial ).

when I presented him with his, and human resource records with matching dates of employment he took himself off the case.

And rather then allowing me a change of venue, which would have been warranted. he gave me to judge

Evidence was presented to in motion form by myself during the he held me in county jail, to include that the state lied to the grand jury in order to obtain the indictment.

After signed for a copy of the : he went before the grand jury, and when he was asked by grand if there was an exam done on the alleged victim) he blatantly lied, and told them that they did not want to put her through that.

Judge \_\_\_\_\_ was aware that the state lied to get the indictment, and I know that this letter is a long time coming. However, I sat in county for a long time \_\_\_\_\_ while the court waited for me to take a plea agreement. and judge \_\_\_\_\_ could have acted on this case years before he did. And then to lie in open court about the work relationship he had with my ex-wife was highly inappropriate and prejudicial. There are so many flaws in this case alone that there is no question as to how many other cases he has wrongly lorded over.

My attorney at the time: \_\_\_\_\_ asked for a change of venue when he found out that there was a work relationship between the judge and \_\_\_\_\_ and that \_\_\_\_\_ would sit in judge courtroom during the work day in case he was in need of an advocate.

My only worry is the reprisal from judge \_\_\_\_\_ or even judge \_\_\_\_\_ who pulled me back into his court room less then a month after I was released on a trumped up charge , and sent to prison for an extra year, only to show that they would not be beat.

I've been in contact with attorney's in my home town only to be told that me original issue could have been taken care of in \_\_\_\_\_ court (here that is). But in \_\_\_\_\_ there is so much injustice by the trial judges that maybe other cases should be put under a microscope.

Needless to say; \_\_\_\_\_ sentenced me to the \_\_\_\_\_ my ex-wife promised, (coincidence)?

to: the committee for judicial misconduct

I would like to start by saying that, I would like for you to look into this and not think for one minute that in trying to be spiteful or making this complaint out of anger in any way, my divorce has been over for years and Im getting some of my life back.

I will admit that Im upset in a lot of ways, but in a lot of ways this case should not have been.

My attorney's and I have tried to explain to the court the relationship's my ex-wife had with the legal community in AZ. and For the past lived this case and nothing else, and I still have days when I carry a lot of anger toward the people involved and the legal system in general. However, im working through that.

And ive spoken with a lot of people, to include attorney's, that agree that when your life is in the hands of a trial judge, you want that judge to look at the truth of the matter, and the facts. And not try to hide either.

In both cases, judge , and judge overlooked both truth and fact.

I do have every intention of following up with the ninth district court of appeals as well as the media by forwarding copy's of these letters and filing a complaint with the state bar on the miss actions of the attorney's.

There is an issue with the court system in AZ. And I would be foolish to think that my case is the only one with so many different problems. I've been in contact with the media who are waiting to see what your move will be.

I'm caught up in the legal system and I can live with that, what I cant live with is a corrupt legal system im not trying to get this case re-tried although a third trial will be welcomed, I just want these to account for there actions. Everyone has to be accountable there not gods.

Thank you very much for your review.

Sincerely

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IT IS MY UNDERSTANDING THAT LEGALLY; THE TRIAL JUDGE IS THE ONLY PERSON IN THE COURT ROOM THAT HAS THE POWER TO REDACT OR ORDER OMISSION OF TRAIL TRANSCRIPTS -

THE ADDITION THAT THE STATE LED TO THE \_\_\_\_\_ BY \_\_\_\_\_ IS ABSENT IN THE TRANSCRIPTS

PLEASE SEE ATTACHED

may 12<sup>th</sup>, 2014

to: the committee for judicial misconduct

received this case in from judge and all of the files that go with it. And during the years between and the second trial on this case in he received motions, hand written by myself, from county jail. explaining the past judges relationship with my ex-wife as well as her relationship's with everyone involved in the legal community and (all) of them involved in this case.

He received motions explaining that the state deliberately lied to the grand jury in order to obtain the indictment.

During the trial my attorney, asked if he lied to the grand jury in order to get the indictment, ( yes ). when she asked him if he received the medical report and signed for it prior to going before the grand jury, he said ( yes )

I asked to ask for a miss trial and she told me that the judge would not give us one ( because he felt that I was guilty ). the fact was, that the county had tied up in this wrongful case.

While working on my I went to a family attorney on a legal question only to find that the detective's admission has been redacted from the transcripts, or omitted for reasons to serve the county of

It is my understanding that there is only one person that can order the transcript's be altered or statements omitted and that person is the trial judge.

there are witness's that were in the courtroom as well as juror's i plan to use, but they are afraid of reprisals from the court. They watched judge drag me back into court less then a month after being released because I had And the reason was failure to de-register. A law that was not even on the books yet. They felt that he gave me a year wrongfully and out of prejudice. Because of my ex-wifes connections. However they are willing to testify that the admission was made

ive spoken to my attorney's about this issue and and both say that due to there positions in the county office, that I would have a better chance on my own (in other words)