

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-278

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge and superior court commissioner are not properly supervising county adult probation department staff.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judicial officer's 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.

The commission does not have jurisdiction to review the legal sufficiency of the judicial officers' rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officers did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: October 8, 2014

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant, the judge, and the commissioner on October 8, 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

2014-278

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.

1. THE COMPLAINANT, MR. _____ IS A NATURAL PERSON THAT
_____ IS ON PROBATION WITH _____ COUNTY PROBATION.

2. THE HONORABLE _____, IS A PROBATION
_____ THAT HAS HANDLED (2) MATTERS WITH MR.
THE HONORABLE _____, HANDLED A
MOTION ORIENTED IN THE SAME FACTS/PARTIES, AS THE
RULE 27.1/27.3 RULES OF CRIM. PROCED., AT ISSUE, MOTION
TO MODIFY PROB. TERMS.

3. THIS COMPLAINT [ALLEGES] THAT BOTH _____ AND
_____ POTENTIALLY ENGAGED IN ETHICS VIOLATIONS, DEMONSTRATED
PARTIALITY TO THE OPPOSING PARTIES [THEIR SUBORDINATES]
AND DISREGARD CREDIBLE COMPLAINT(S) OF SUBORDINATES.

4. MR. _____ PREFACES THAT HE HAS THE UTMOST ADMIR-
ATION FOR BOTH _____ PROBATION DEPARTMENT STAFF
[AS THEY ARE INTENDED TO BE] AND OF ALL COURT STAFF
[AS THEY ARE INTENDED TO BE]. HOWEVER, HE IS
HAUNTED BY AND PROFOUNDLY TROUBLED BY THE CIRCUM-
STANCES OF THIS SITUATION AND BEING A NON-ATTORNEY,
PLEAS TO THIS COMMISSION - FOR AN INDEPENDANT DETER-
MINATION.

5. ON _____ MR. _____ PETITIONED THE COURT FOR MODIFICATION OF PROB. CONDITIONS [SEE COURT FILE ONLINE]
6. THE ISSUES DERIVED FROM THE _____ [ATTEMPT] BY ADULT PROBATION OFFICER _____ AND HER SUPERVISOR _____ TO VIOLATE HIM UNDULLY [PLEASE SEE EXHIBIT A - 4 PAGES] THIS WILL NOTE [_____] IS RAISED IN THIS VERY DETAILED - LENGTHY REPORT,
7. AFTER MR. _____ UNDULLY ENDURED _____ DAYS IN JAIL, ON _____ THE _____ OWN COUNSEL - PROSECUTOR MR. _____, ENJOINED THE PUBLIC DEFENDERS MOTION AND JUDGE _____ - DISMISSED. [SEE EXHIBIT B - 2 PAGES]
8. THEN, THE _____ NAMED OFFICERS ENGAGED IN A CALCULATED CAMPAIGN OF ABUSE OF AUTHORITY AND RETALIATION, IN INSTITUTING CONDITIONS THAT ARE BEYOND THE WRITTEN UNIFORM RULES OF CONDITIONS AND ARBITRARY ONES, THAT THEY HAVE DONE FOR _____ AND SERVE NO LEGITIMATE/REHABILITATIVE PURPOSE. HENCE, THE MOTION TO MODIFY [PLEASE SEE EXHIBIT C - 2 PAGES]

9. MONTHS ELAPSED AND JUDGE _____ CLERKS
EMAILED TO THE _____ ON (2) OCCASSIONS, TO
REPLY, THE COURT DID NOT NOTIFY ME - I
DISCOVERED THIS BY ACCIDENT. [PLEASE SEE ONLINE
MINUTE ENTRIES OF THESE (2) INCIDENTS]
10. ON _____ SUPERVISOR _____ MONTHS
LATER, FILED AN [UNDATED] MEMO TO THE COURT,
THE MEMO CONSISTED OF [NEW] NON-ISSUE -
REVIVED [] ISSUES THAT ARE FABRICATED
AND MISCHARACTERIZED AND AN OBVIOUS
DEMONSTRATION OF THE EXACT WILLFUL ABUSE
OF AUTHORITY - OF WHY I FILED MODIFICA-
TION MOTION. [PLEASE SEE EXHIBIT D - 3 PAGES]
11. MR. _____, FILED - SUBMITTED (2) LETTERS OF COM-
PLAINT OF JUDGE _____ - TO JUDGE _____
[PLEASE SEE ONLINE COURT DOCKET.]
12. ON _____ THE COMMISSION NOTES - THE SAME DAY
THE _____ FILED THEIR MEMO - JUDGE _____
ALL OF ITS CONTENT - COMPARED TO DISPUTED MATERIAL
FACTS BY MR. _____, AND [DENIED] MY MOTION
[PLEASE SEE EXHIBIT F] AS IF JUDGE _____ WAS
AWAITING THE REPLY (MEMO) TO DENY MY MOTION,

13. BOTH JUDGE _____ AND _____ - OBVIOUSLY, DIS-
REGARDED MY CREDIBLE COMPLAINTS AGAINST THEIR
SUBORDINATES - NOT ENSURING - INSPIRING PUBLIC
CONFIDENCE IN THE JUDICIARY,
14. I ASSERT THAT JUDGE _____ UNETHICLY HANDLED AND
DENIED MY MOTION AND THAT HE HAD NO LEGAL JUSTIFICA-
TION FOR DOING, ACTED UNETHICLY IN CONSIDERING A
[UNDATED] ... LATE MEMO - AS A REPLY AND AS A MATTER
OF FAIRNESS - SHOULD OF ENTERED A DEFAULT JUDGEMENT
IN MR. _____ FAVOR,

SUBMITTED THIS _____ DAY OF _____,

A TRUE COPY OF THE FOREGOING PLACED IN THE
RESPECTIVE BOXES OF BOTH JUDGES AT COURT-
HOUSE, THIS SAME DAY _____ OF _____,