

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-063

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge failed to issue a timely ruling in a post-conviction matter.

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 approved sending the judge a warning letter directing him to familiarize himself with the specific time-lines under Rule 32, Arizona Rules of Criminal Procedure. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: May 12, 2015

FOR THE COMMISSION

/s/ Louis Frank Dominguez
Hon. Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judge on May 12, 2015.

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

2015-063

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.

My case was assigned to Judge _____ for review
in accordance to Rule 32 (b)(c) of Criminal Procedure;
Arizona Revised Statute 13-4236 which states the
Court "shall" review upon return within 20 days and
no longer than 60 days pursuant to Article 6 Sec 21
of the Arizona Constitution. The
_____ was supported by a certified court
document with my trial attorney misquoting the law
and the prosecutor making a promise for a plea it did not
fulfill. The _____ was enhanced by a _____ submitted
by an attorney the petitioner never met, instigating further
doubt on what is now a case of malicious prosecution and
attorney misconduct (attorney _____).
_____) The
_____ was assigned in
the _____ to be exact, the statutory time line has
come and gone and _____ suspending of the writ
is in violation of the suspending clause of the U.S
Constitution and the Article 2 Sec 14 of the Arizona
Constitution. _____ has granted motions submitted by
a third party who by law does not represent the
petitioner, to do that which is contrary to the rule,
statute, and constitution: suspending the writ of
Habeas Corpus.

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The petitioner filed motions for compliance, and stating that as a pro se litigant, he does not approve of, or authorize, anything filed to further delay what he is demanding the circumstances and evidence submitted: A hearing, revidantimely speaking. The month delay is not warranted and in contravention of Article 2 section 11 of the Arizona constitution, and the Due Process clause of the 14th Amendment. A hearing should be held to determine lawyer misconduct which he has done nothing, in violation of Ethical Rule 2.15 (B); he has not complied with Ethical Rule 2.2, 2.5, 2.6, or 2.7. Under comment 2, of 2.2 must interpret the law and apply it. A man is sitting in prison, factually innocent of the charge he was compelled to, found the deficiencies, and is being barred from petitioning for redress of his grievances, in contravention of the 1st Amendment, with the appearances of facilitating a cover up of the trial attorneys and prosecutors sloppy and inept lack of regard for my constitutional rights. The Rule, statute, article with respect to the suspension, clause all emphasize on the word "shall" the language of command for interpretation leaving no room for discretion, actions are tantamount to obstructionist, than impartiality.

See Attached

I am enclosing a copy of [redacted] withheld from me by my attorney that I could have used to go to trial and undermine the state case. The record will show that I did not become aware of that report until after I got to prison.

[redacted] saw this and has done nothing, which according to Ethical Rule 2.15 (B) (D) comment 1, wrong.

Also enclosed is an [redacted] showing [redacted]

or [redacted] not acting as my lawyer which [redacted] ruled on, but anything that has to do with correcting a manifest injustice goes unattended to, or ignored. It also contains the [redacted] misquoting the law and the [redacted]

not fulfilling a promise for a [redacted] that I should have never been charged with as the information relied upon for my indictment was from [redacted]

[redacted] There was no evidence to support [redacted] and no evidence to support [redacted] as I had legal consent, and legal authority to [redacted] and never deviated from my duties, in regards to [redacted]

Attorney [redacted] motion showed a [redacted] version of the alleged incident, all of which I did not become aware of until after I got to prison as my attorney took advantage of my ignorance of the laws and rules of evidence to keep me uninformed [redacted]

