

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-156

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made improper rulings in his criminal case.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, 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: July 9, 2015

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 July 9, 2015.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature:

Date:

INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

- see attachment -

I reserve the right to amend and/or add issues as I discover evidence of the relevant misconduct.

in the defended with as advisory counsel:

1. Issued an unwarranted redacted version of R.A.J.I. 4.04-1 to comport with and buttress the prosecutor's

A) the redacted statement:

B) then to overrule defense repeated and vehement objections to the

Redaction blatantly lied to defendant and stated:

There is NO other mention of the verbal provocation exemption of A.R.S. § 13-404/R.A.J.I. 4.04-1 anywhere in the jury instructions. *See:*
and defense

2. Declared a mistrial against defense's repeated objections, for the prosecution and without considering alternatives; and preventing defense from offering and/or arguing for alternatives. The prosecutor, after declared the filed false and baseless perjury charges against primary eye witness and former to coerce into committing perjury for the State in the *See:*

See also:

3. Unlawfully ruled defendant's vehicle was not evidence, in violation of res judicate from State v. to prevent the required and mandated dismissal of the case pursuant to and its and to protect the prosecutor and police from repercussions due to their intentional violations they intentionally committed to frame Prosecutor repeatedly lied to the defense for to conceal the from the defense until the evidence on and All the while the State was secretly pursuing the in a . The State informed was it was dismissed, but secretly re-commenced. *See:* *See also:* wherein the Court ordered that the was evidence. ruled the was not evidence after the forfeiture case was evidence; and did so in violation of law and to continue the false,

4. Unlawfully precluded from asserting any defense relevant to having been by the deceased even though had seen evidence the did in fact pursuant to A.R.S. § 13-1304.

5. Unlawfully ruled that police are not required by law to collect and maintain evidence they had collected and had in custody pursuant to the of a again ruled contrary to law to protect the prosecutor and police from repercussions for their and their total

6. Allowed the prosecutor to file, and ruled in favor of the State, a single containing over See:

7. Allowed prosecutor to unlawfully even though well aware had previously in See: The Court had previously directed to withdraw from the case/trial. See: .

In the attorney:

8. Unlawfully allowed the State to in violation of the preclusion. was still attached to the since the State

never evidenced any _____ for the _____ declaration of mistrial against defense objections in the first trial.

9. Unlawfully allowed the State to suborn and coerce perjury. *See:*

See [again]:

10. Unlawfully precluded the testimony of

who would have presented irrefutable impeachment evidence proving the

and propensity _____ ruling directly contradicted A.R.E. 402, et seq., the ruling in _____ and her own ruling

In _____ ruled _____ could testify when he was unable to find exculpatory evidence _____ then ruled he could not

testify when he _____ had intentionally

_____ from the _____ own rulings

concerning _____ evidence she rules in violation of Arizona to prejudice the defense and benefit the State.

11. Unlawfully allowed the State to continue the trial after the defense rested so

the State could create a _____ document; and then unlawfully allowed

the State to enter the _____ document without being authenticated, then

sealed the document to prevent the defense from _____ the

document. To date, the

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**