

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-170

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge should have declared a mistrial or later set aside his conviction based on a change in the law.

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 15, 2015

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 judge on July 15, 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.

The Following Facts are Indisputable:

- 1) \_\_\_\_\_ was enacted on \_\_\_\_\_
- 2) My trial started in \_\_\_\_\_
- 3) \_\_\_\_\_ was enacted on \_\_\_\_\_ causing \_\_\_\_\_ to become retroactive.
- 4) I was sentenced on \_\_\_\_\_ days after \_\_\_\_\_ became retroactive
- 5) I was sentenced by Judge \_\_\_\_\_ under abrogated law
- 6) \_\_\_\_\_ was obligated to declare a mistrial immediately after \_\_\_\_\_ was enacted on \_\_\_\_\_ and he did not.
- 7) On \_\_\_\_\_ the \_\_\_\_\_ confirmed
- 8) From \_\_\_\_\_ discussed and ruled on \_\_\_\_\_ Therefore \_\_\_\_\_ cannot claim he was ignorant to the law change.
- 9) My petition for Post Conviction Relief went before \_\_\_\_\_ and he ordered an \_\_\_\_\_ on an issue in the \_\_\_\_\_ thus had an opportunity once again to correct issue.
- 10) On \_\_\_\_\_ was enacted with a retroactivity clause, applicable to any case that was not adjudicated before \_\_\_\_\_
- 11) \_\_\_\_\_ is retroactively applicable to my trial nunc pro tunc.

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

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The Following Facts are Indisputable:			
1)	was enacted on		
2)	My trial started in		
3)	was enacted on retroactive.	causing	to become
4)	I was sentenced on retroactive	days after	became
5)	I was sentenced by Judge	under abrogated law	
6)	was obligated to declare a mistrial immediately after on and he did not.		was enacted
7)	On the Arizona	Court confirmed	
8)	From to issues in ignorant to the law change.	discussed and ruled on Therefore	cannot claim he was
9)	My petition for Evidentiary Hearing on an issue in the correct issue.	Relief went before thus had an opportunity once again to	and he ordered an
10)	On applicable to any case that was not adjudicated before	was enacted with a retroactivity clause,	
11)	is retroactively applicable to my trial		

Judge \_\_\_\_\_ violated Arizona law and his loyalty oath of office when he knowingly, intelligently, willfully, purposefully, and with malice aforethought sentenced me after State law caused by trial to be void--not just voidable.

Judge \_\_\_\_\_ had the requisite knowledge and information to know the law I was tried under had been abrogated before he sentenced.

There can be no greater \_\_\_\_\_ than intentionally sending a man to prison for violating a law that does not exist, and did not exist due to the retroactive aspects.

Judge \_\_\_\_\_ in furtherance of concealing his intentional intentionally concealed and/or withheld and/or remained \_\_\_\_\_ about his misconduct and the law change for years and throughout post-conviction relief proceedings.

In fact, Judge \_\_\_\_\_ is to date still intentionally committing \_\_\_\_\_ for failing to act in accordance with Arizona law and his loyalty oath of office by remaining silent on this issue and thus causing me to remain wrongfully imprisoned.