

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-245

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge made improper rulings in a post-conviction relief proceeding.

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: October 7, 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 October 7, 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

2015-245

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.

Judge abused her discretion in deciding the case in that during her
ruled, given in she did not take into consideration the defendant's mental health
history stemming from before the commission of , 25 per Ariz. Rev. Statutes.
Additionally, in the beginning of she denied defendant's Motion for Appointment of
Counsel. Defendant submitted this motion when communications between he and his counsel
broke down (counsel was subsequently disbarred). Her honor did not allow counsel
to call on for rebuttal even though another witness
clearly ~~was~~ contradicted Mr. testimony and rebuttal was necessary. Her honor
did not allow one of defendant's listed witnesses to testify during
his hearings, even though defendant clearly gave notice that he wished for
that witness to testify.

In she ~~did~~ abused her discretion. Statutes clearly state
that must be considered when examining defendant's
ability to understand the voluntariness of the crime. She did not do this.