

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-249

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge was prejudiced against a criminal defendant, had ignored evidence of prosecutorial misconduct, and improperly altered the criteria of a mental health evaluation.

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 14, 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 October 14, 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.

please see attached forms.

Dated:

To: Arizona Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

From:

RE:

On [redacted] I attended an aggravation / mitigation hearing in front of Judge [redacted] involving the aforementioned case number and my son [redacted] who has suffered from special needs all through his education years and adult years.

[redacted] has been in jail now [redacted] months and I have filed numerous ethically complaints against Judge [redacted] that have been repeatedly dismiss for lack of jurisdiction by this commission. Prior to this hearing I sent judge [redacted] a letter which referenced her recent order to destroy evidence I submitted in her reference to the [redacted] and police officers being caught lying in [redacted] case.

Through the past year I have hired several private detectives and gather reports and other documents and attempted to show the judge that the current prosecutor in this case has been caught lying most recently in a [redacted] hearing.

I have attached transcripts from the hearing held on [redacted] in which Judge [redacted] makes a mockery of my complaints and contradicts her own statements of not having read the complaints. In the transcripts Judge [redacted] says the following.

#### REPORTER'S TRANSCRIPT OF PROCEEDINGS

#### HEARING

**Judge** [redacted] It was a set of documents purportedly put together by the defendant's father, who for the record is in the courtroom today, and it is in the form of complaints against officers and others. There is specifically a complaint against [redacted] Officer [redacted] and I'm reading off of the cover sheets of the various parts of this packet, a complaint filed with this Court regarding the assigned prosecutor. That would be Mr. [redacted]

**Judge** [redacted] Actually, there is a separate group of documents addressing prosecutor misconduct and then a separate packet addressing complaints against the prosecutor, Mr. [redacted] and, again, a separate one against [redacted] Police lab tech [redacted]

**Judge** Now, first of all, as the parties are aware, the Court does not have the authority, nor is there a procedure in place for the Court to launch investigations against police officers. With regards to officers of the court, attorneys, the Court could refer the matter to the bar for investigation if there is some misconduct perceived, but much of what is requested in this packet is not something that the Court has the authority to do. '

**MR.** I wish they had never been filed. I wish the Court had never seen them.

**THE COURT:** I've not read them.

**MR.** I appreciate that.

I am attaching Arizona lab reports and probable cause reports filed by Police on the day they arrested my . The police claims over more drugs were found than the lab reports concluded. But instead of correcting the error in weight the police, the and the judge are chasing to ignore it and leave the charges as they are. Judge is choosing to extend the time line she told the doctor to base her report on in her initial order which was back to the back of the related offense well now the judge want to go back to when

But the judge does not want to look at or examining any information that implicate the or the police in wrong doing. The judge and has been biased against my son from the start. I am attaching the report show the commission can see what is happening.

I don't know the right words to put this in the correct format but I am telling you if a defense attorney thanks a judge for not looking at records that can clear or mitigates charges against his client it is because he is scare of the judge or has provided ineffective assistance of counsel.

I am submitting this new complaint against judge alleging that she is biased and she has contradicted in own words in not reading the complaints I sent by telling counsel the content in the packets in beyond the courts authority.

The judge changed her instruction without notifying the doctor of her change. As stated previous everything in the judge's mental health evaluation said the defendant's evaluation should determine if at the time of the offense and / or give his mental health evaluation and rehabilitee.

She has change the meaning of her previous order without issuing a new one to disadvantage the defendants because the mental health report she received was in his favor. She is effectively denying justice by lying and turning a blind eye to justice and allowing the introduction of false evidence by the DA.