

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-306

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Judge:

Complainant:

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**ORDER**

The complainant alleged a justice of the peace denied him his right to counsel, engaged in improper courtroom demeanor, and coerced him into signing a waiver of counsel.

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: December 16, 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 December 16, 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)*

To Whom It May Concern,

On the [REDACTED] I was in the town of [REDACTED] for a court appearance. This visitation would end up being one of the worst and most unprofessional displays I have seen in my [REDACTED] of life. This letter is to inform you of the heinous and egregious actions and attitudes, resulting in a grievous miscarriage of justice, from public officials in your very county. Bear in mind, that all of the things I will be mentioning here are on video, and can also be corroborated by a witness.

After having found the correct address to the courthouse (as the address given on the citation was [REDACTED] and arriving [REDACTED] early, we were greeted by [REDACTED] clerks there that morning (I do not recall her name, but she can be seen on the video). One of the first things she told me was that I didn't need to see the judge. You can imagine my shock as the back of the ticket warned against not appearing. She also told me that the date, given on the ticket to appear in court, was actually only the date by which I was supposed to pay the fine (and if I chose to fight it, all she needed from me is a written and signed plea). At this, I was again taken aback because now it's extortion and deprivation of my right to due process of law.

These things are clearly in violation of her code of conduct as a clerk. [REDACTED] however, should not include advice. Absent permission from the judge, you must not answer questions from witnesses or jurors about a case [REDACTED]. She did, however, inform me that I was not on the docket that day to see the judge. This is odd, because I was issued a citation that told me to appear [REDACTED] on that date. The clerk not only gave legal advice, and lied, but she also came to me later (as my witness can testify), as we were waiting on the judge to call on us, to back-pedal everything she said to us upon arrival.

When it was finally time to stand before a judge, one of the first things she [REDACTED] [REDACTED] did was deny me my 6th Amendment right to assistance of counsel. Her reasoning was that my counsel was not an attorney. This is a curious conclusion to me, partly because I know that the position of [REDACTED] is an elected public servant position that does not require a background in law. Upon asking her to provide a title and/or code justifying her decision, she told me to "call the state bar" and offered no explanation. I don't recall the state bar being a part of the government we the people established to secure our rights!

She then informed me that my appearance there that day (though not on any docket) was my arraignment, though in all my research [REDACTED] and numerous references on the internet, such as [REDACTED] I never saw the word "arraignment" used in any cases but criminal cases. Upon denying my right to counsel a second time, the judge ordered my pastor to leave HER court (not the people's court, apparently).

Mrs. [redacted] then moved to recuse herself from the case due to her husband [redacted] being involved, as it concerns the [redacted] unless I was ok with her staying on as judge. She further told me that if I waived my right to an attorney to enter a plea, she would stay on, terms that were agreeable to me (as I would not plead "guilty" or "no contest"). More than once I expressed my approval of her remaining as judge on the matter, but after I signed the waiver and plea document (all rights reserved), she backed out as judge over the case and said, [redacted]

Mrs. [redacted] dishonestly and dishonorably coerced me into waiving my right to an attorney and making a plea, under the guise that she would stay on as judge. She denied my rights to assistance of counsel and a speedy trial. She (a public servant) was rude and a bully to my pastor, and usurped the court as her own (undermining her oath to uphold the constitution, and violating my rights and his right to help a friend in need of advice).

I fully intend on pressing charges to the end of reprimanding those in question (including the original officers involved) and full financial compensation for time and money lost, expenses, and cost of mental and physical distress.

[redacted]

SEARCHED  
SERIALIZED  
INDEXED  
FILED  
MAR 20 2008  
FBI - [redacted]