

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-042

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Judge:

Complainant:

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**ORDER**

The complainant alleged a pro tem municipal court judge improperly allowed a prosecution to occur after the statute of limitations expired.

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.

After review, 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(a).

Dated: March 31, 2016

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 March 31, 2016.

*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.

On \_\_\_\_\_, \_\_\_\_\_ presided over the arraignment of \_\_\_\_\_, and after reviewing the misdemeanor complaint filed by the \_\_\_\_\_, \_\_\_\_\_ arraigned \_\_\_\_\_, appointed \_\_\_\_\_ an attorney through the \_\_\_\_\_ at \_\_\_\_\_ (after \_\_\_\_\_ requested the appointment of an attorney), and told \_\_\_\_\_ to work something out with the prosecutor.

At the arraignment, \_\_\_\_\_ ordered the setting of the following Court Appearances and dates:  
the Pre-Trial Conference for \_\_\_\_\_ at \_\_\_\_\_  
The Judgment & Sentencing on \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_ ordered \_\_\_\_\_ to appear at the per-trial conference with the prosecutor. Furthermore, \_\_\_\_\_ told \_\_\_\_\_ to wait for \_\_\_\_\_ attorney in the courtroom hallway for the Pre-Trial Conference.

\_\_\_\_\_ did not question the complaint being filed after the statutes of limitations expired. Nor did \_\_\_\_\_ dismiss the complaint for expiration of the statute of limitations.

I believe it is prejudicial to the administration of justice by a Judge, who allows the prosecution to file misdemeanor charges and continue with the proceedings, after the expiration of statute of limitation has expired.

\_\_\_\_\_ were told by the \_\_\_\_\_, that \_\_\_\_\_ is no longer a here.

I understand the filing of this complaint does not affect or influence the outcome of the case, nor influence the Court's Ruling or Orders.