

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-161

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against him, did not follow the rules of criminal procedure, and improperly refused to allow him to withdraw from the plea agreement.

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(a).

Commission member Peter J. Eckerstrom did not participate in the consideration of this matter.

Dated: July 20, 2016

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 July 20, 2016.

This order may not be used as a basis for disqualification of a judge.

2016-161

State of Ariz. Commission
 on Judicial Conduct
 1501 W. Washington St. Suite 229
 D. Ariz. 85007

RE:

I'm sending my package back to the Commission on Judicial Conduct office. File Complaint on

I'm not high educated person. And.

It's hard to understand some of the question and write the complaint papers, so I wrote the complaint form the best I can with a little help. I hope that state of Ariz. Commission on Judicial Conduct will take my complaint. That the rule of Ariz. Criminal Procedures had never been followed on my case. and on the letter that my send me about bias. The library don't want to make that copie. So I can't send and attach that letter.

I had been discriminate. Bias. Prejudice. The Judge went over and never follow the Ariz. Rule in Criminal Procedure. Because of my charges Gender and Race I can't understand. when I've been showed the Rule Book and I had been told why. the Judge never inform me about Rule 16. OMNIBUS Hearing. Never show me any forms. like form 16 that I should had been explain to me and sign it. I want my case fully look into Denied my with Draw my plea of Guilty. All this should be on the record, I had been discriminate with prejudice. why. The Judge never followed the Ariz. Criminal Law and procedure till I was told with help.

Thank You.

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2016-161

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.

I would like to file a complaint against _____
and _____ With Bias and Prejudice.
I want _____ to remove from my case.

The Judge was Prejudice and Bias. I'm not Highly Educated Person.
which there was a lot of things that I didn't understand with my
case. First on Bias. _____ wrote to me on
Her Name's _____

That _____ was criticized about _____
Letter is attach "

Never Explain the Omnibus Hearing under Rule 16.
under Rule 16.1.(A) Scope of Rule said. This Rule shall Govern the Procedure
to be followed in case. Rule 16.1 and 16.2. shall apply to Criminal Proceeding
In all Courts. Section "B". Request should also ordered by the Court on it's
own motion. OMNIBUS Hearing. I was not inform in all the Arizona
Criminal and Procedure Rule. The Court Never follow this Rule. They should
inform the Procedure to me and I was not told about any "Form 16" that
I should fill out too. And I didn't know there was some form that
the Court suppose to tell me about. If the Judge had inform about
OMNIBUS Hearing and followed. My case would had been different.

Never gave me Evidentiary Hearing. And No Pre-
-Trial Hearing. " Fed. R. Civ. P.16: Fed. R. Crim. P.17. " And " Case =
Federal Civil Procedure "1921" PreTrial Procedure-741. CJS. Trial §§ 43-46.

Also Never remove herself on Plea Negotiation and

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2016-161

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.

Agreement Under Rule 17.4. "3" and "4". Says All other cases. The
Discussion shall be before another Judge or Settlement Division never remove
herself.

Judge Never gave me a Pre-Sentence Report Hearing nor. I never given
any P.S.R. to me. U.S.V. Davenport. 151 F3d. 1325 () Court must
assure that Presentence Investigation Report is disclosed to both Defense
Counsel and Defendant at least 10 days prior to Sentencing. unless Defendant
waive requirement. This Section is under Rule 26.

I sign the Plea on _____ And on my Sentence Date on _____
I asked the Judge that I want to with draw my guilty
plea. I did told the Judge. why I want to with draw my plea. I don't
understand what I sign. The _____ never been Explain to me.
And my attorney is not helping me. It should be on the record with
the Court. And I wrote a letter to _____ why
I want to with Draw my Plea.

_____ Denied my request with my with
Draw my Plea. And sentence me _____
my Case wasn't handle by the Arizona Rule's and Procedure. And
It written under Ariz. Rule 1.1 and Rule 16.1(A) The Judge never give
me Information on Omnibus Hearing. Rule 16. my Constitutional Rights
had been Violated. and my case was about Bias, PREJUDICE and
DISCRIMINATION. And I want _____ Remove from my Case.