

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-180

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge improperly accepted an expired 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 Anna Mary Glaab did not participate in the consideration of this matter.

Dated: August 24, 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 August 24, 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.

Judge _____ processed an expired plea agreement. The plea bargain (_____) states at top "This offer expires and is void if not entered in court by _____". He processed that plea on _____. I told Judge _____ the plea was expired and that I wanted to retract the plea and go to trial. I told him my lawyer coerced the plea because it was the only way to get the medical assistance I needed. My lawyer admitted in court on _____ that he encouraged me to admit guilt to a crime I did not do for the purpose of seeing my doctor faster. Judge _____ still processed the expired plea and denied me an opportunity to prove my innocence.