

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 16-281

---

Judge:

Complainant:

---

**ORDER**

The complainant alleged a superior court judge refused to allow him to file motions and present evidence, and made improper rulings in a criminal case. The complainant also alleged a second superior court judge engaged in inappropriate demeanor in a criminal case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 first judge's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the first judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety as to the first judge, pursuant to Rules 16(a) and 23(a).

After further review, the commission found the second judge used inappropriate and profane language in a settlement conference. While this was improper under Rule 2.8(B), the Scope Section of the Code of Judicial Conduct provides that it is not intended that every transgression will result in the imposition of discipline. The commission decided, after considering all the facts and circumstances, to dismiss the complaint as to the second judge pursuant to Rules 16(b) and 23(a), but to issue a warning letter to the second judge concerning his obligation under Rule 2.8(B) to be patient, dignified, and courteous to litigants and to refrain from using profanity and to keep calm even when dealing with frustrating litigants.

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

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

Dated: February 7, 2017

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were distributed to all appropriate persons on February 7, 2017.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**



**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.

on the \_\_\_\_\_, I submitted a motion to submit "  
" (I submitted this, while represented by counsel who kept lying  
to me and saying \_\_\_\_\_"  
(I have already sent letter to the State Bar of Arizona on the \_\_\_\_\_ attorney's).  
On the \_\_\_\_\_ there was a hearing on my motion which pointed  
out at least \_\_\_\_\_ of the many blatant lies of the prosecutor. Instead of  
asking to see the evidence, part of Judge \_\_\_\_\_ response was "

" I feel I have hard evidence to  
prove that Judge \_\_\_\_\_ did not want to entertain my motion because  
instead of ignoring Rule 2.15 (B), he would then have to obey or violate  
Rule 2.15 (B). Therefore I feel Judge \_\_\_\_\_ violated canon 1, canon 2,  
Rule 1.1, Rule 1.2, Rule 2.2, Rule 2.3 (Judge \_\_\_\_\_ in \_\_\_\_\_ also  
violated Rule 2.3 at my \_\_\_\_\_ settlement conference when he told her  
" (That was recorded on  
my cell phone → so if they want to lie so be it.) Then Judge \_\_\_\_\_  
violated Rule 2.6. All these violations hapend all because of ignoring  
Rule 2.15 (A), because he did not want to Follow Rule 2.15 (B).  
The other option is maybe Judge \_\_\_\_\_ forgot about Rule  
2.15 and since I pointed it out on the \_\_\_\_\_  
maybe he is now doing the right thing? A simple phone call  
From you could find out. or do nothing and let the Federal  
Agencies get involved since you dont want to handle it.

Thanks and God bless if you do the right thing



**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2016-281

**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.

on the \_\_\_\_\_ there was a hearing on my motion to  
" \_\_\_\_\_ that I filed on the \_\_\_\_\_ by myself since my  
own defense attorney was not defending me not exposing the lies of the prosecutor.  
In my motion I point out just a few of the many blatant lies of the prosecutor.  
Part of Judge \_\_\_\_\_ reply was \_\_\_\_\_

I feel Judge \_\_\_\_\_ violated Canon 1 and Canon 2 Rule 1.1, and Rule 1.2, and Rule 2.2,  
and Rule 2.3 (the Judge in \_\_\_\_\_ is also guilty of this by yelling at \_\_\_\_\_ at \_\_\_\_\_)  
her settlement conference by saying " \_\_\_\_\_ ?

(I sent the recording of that on my phone to an agency already).

Judge \_\_\_\_\_ then violated Rule 2.6 and of course he blatantly violated Rule 2.15 (B)  
Because once he saw the evidence he would have to apply Rule 2.15(B).

Then he would have to declare a mistrial or New Trial.

I sent motions to the court for a hearing for a new trial but now the court  
is saying my motions are \_\_\_\_\_ since I am represented by  
Counsel. This is a Lie! I can submit motions myself just like I did on

I want my hearing for my Motion of a new trial, so the Judge can see  
the ample evidence of attorney misconduct, and then have a chance to  
follow Rule 2.15(B)

I asked Judge \_\_\_\_\_ at my Rule 6.1 waiver of counsel hearing on the  
\_\_\_\_\_ I asked him to send \_\_\_\_\_ to his

office to get the evidence so I could show him attorney misconduct  
and violation of Rule 1.1 and Rule 2.15 of the code.

Judge \_\_\_\_\_ did not send him. And since I am innocently locked up at

\_\_\_\_\_ awaiting sentencing, I chose to have new counsel  
appointed and he promised me it would not be from the  
public or legal defender's office (since he knows I don't trust them).

I will meet with my new attorney on \_\_\_\_\_ and will give her a copy  
of what I am sending you.

Sincerely,

ps Please help so innocent  
people do not have to go to prison.

It is bad enough when my family is 2  
torn apart due to injustice. \_\_\_\_\_ is in Jail, our

\* You have time to intervene before more corruption takes place