

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-324

Judge:

Complainant:

ORDER

The complainant alleged three superior court judges (one now deceased) failed to rule on a motion in a criminal matter.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judicial officers 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 judicial officers did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety as to all three judicial officers, pursuant to Rules 16(a) and 23(a).

Commission member George H. Foster, Jr. did not participate in the consideration of this matter.

Dated: January 11, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer

Executive Director

Copies of this order were mailed to the complainant and the judicial officers on January 11, 2017.

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

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Comp

2016-324

DATE :

RE :

TO :

AS EXPECTED, THE COURT HAS FAILED IN ITS DUTIES, SO IT IS TIME TO INITIATE A FORMAL COMPLAINT. I WILL INCLUDE ALL DETAILS AVAILABLE TO ME SINCE THE COURT HAS ALSO FAILED TO FULFILL ITS RESPONSIBILITIES.

PURSUANT TO AZ. CONST. ART. 6 SECT. 21, ANY MOTION SUBMITTED TO THE COURT SHALL BE RESPONDED TO WITHIN 30 DAYS. IF THE COURT FAILS TO RESPOND, RULE 81 CANNON 3(b) GRANTS BOARD POWER TO PUNISH, AND, IN ACCORD WITH ARS 12-128.01, THAT PUNISHMENT INCLUDES WITHHOLD OF JUDGES PAY.

STATEMENT OF FACTS

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SINCE I HAVE NOT RECEIVED ANY NOTICE AS TO WHAT COURT HAS BEEN ASSIGNED TO RESPOND TO THIS MOTION, I CAN ONLY INDICATE WHO TO FILE A COMPLAINT ON, BASED ON MY LIMITED ACCESS. I ASKED SOMEONE TO LOOK ON THE INTERNET AND THE ONLY NAME GIVEN WAS THE . HOWEVER, THE LAST FEW YEARS IT HAS BEEN THE

ALSO IMPORTANT TO NOTE IS THE POSSIBLE EX PARTE COMMUNICATIONS BETWEEN AND AS NEITHER HAS RESPONDED. THIS IS FURTHER EVIDENCED BY THE FORWARDING OF COMPLAINT (DIRECTED ORIGINALLY TO HIM) TO YOUR OFFICE TO BRING ATTENTION TO YOU, OF MY COMPLAINT, AND DIRECT FAULT TO THE COURTS AND AWAY FROM HIS OFFICE.

ENCLOSED ARE COPIES OF THE LEGAL MAILOUT LOG TO VERIFY THESE DOCUMENTS WERE SUBMITTED TO THE COURTS AND TO THE . DENIAL OF ACCESS TO COURTS MAY ALSO NEED TO BE ADDRESSED.

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER,

SINCERELY

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2016-324

RE:

TO:

I JUST RECEIVED NOTICE OF THE JUDGE ASSIGNED TO THIS MATTER. PLEASE ADD THIS NAME TO THE INVESTIGATION. ENCLOSED ALSO IS A COPY OF THE CORRESPONDENCE SO THAT YOU CAN SEE THE DIFFICULTY EXPERIENCED IN OBTAINING THIS INFORMATION ALONG WITH TIME FRAMES.

THE JUDGE ASSIGNED TO THIS MATTER IS

• HE HAS FAILED TO RESPOND WITHIN THE TIME FRAME MANDATED, AND, TO DATE STILL HAS NOT ACKNOWLEDGED SUBMITTED TO COURT

AGAIN, PURSUANT TO AZ. CONST. ART. 6 SECT. 21, ANY MOTION SUBMITTED TO THE SHALL BE RESPONDED TO WITHIN . FAILURE TO RESPOND, RULE 81 CANON 3(b)8 GRANTS BOARD POWER TO PUNISH, AND, IN ACCORD WITH ARS 12-12B.01, THAT PUNISHMENT INCLUDES WITHHOLDING OF JUDGE'S PAY.

RESPECTFULLY,