

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-166

Judge:

Complainant:

ORDER

The complainant alleged a superior court commissioner improperly denied his request for new counsel, improperly refused to terminate his probation, and colluded with the prosecution.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the commissioner 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: August 23, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on August 23, 2017.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2017-166

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 was denied independent court appointed counsel after the public defenders office admitted misconduct by not informing me of the full details and consequences of my plea which lead to an unknown license revocation that resulted in permanent unemployment and loss of what would have been a shared ownership retirement plan. This has induced a great deal of psychological trauma and has worsened my _____ You must understand how terrifying it is to know you are trapped in a community that allows abuse misconduct and even murder to go unanswered when _____ are the guilty parties. This complaint is the only way I can protect the community or myself from _____ misconduct. _____ proves that misconduct will not harm your career in but rather shows you are cut from the type of cloth desired for the bench where retaliatory and malicious acts go ignored daily. I was caught off guard and unable to find employment or continue my Master's program. I was also told I would be released at _____ of probation which has since past. I have no violations and have complied with all terms of probation. That was told to me by _____ which gives yet another reason why independent counsel was needed _____ at our hearing where _____ my right to representation, in my opinion _____ did this to intentionally cause undue delays and even seemed to threaten to increase my sentence with no logical basis. made this statement out of the blue and I took it as a threat, something about how _____ would need to inform me when/if _____ lengthened my sentence. _____ ruled on a motion without hearing any evidence and indirectly coached _____ on how they should object to my early release by stating this verbally on court record for the _____ to review, as if _____ were not colluding with them already. I also feel _____ gave the _____ additional time to respond as to give them an unfair advantage. has a history of dishonesty and misconduct, as your office has confirmed. _____ is a bias who does not allow a fair judicial process to occur in _____ courtroom where bullying and judicial misconduct are habitual. Not only am I requesting that _____ be found guilty of misconduct for denying my right to independent court appointed counsel but I also ask that you permanently remove _____ from the bench as _____ is a habitual offender who has continued the same misconduct in which you have formally reprimanded _____ for in the past. I have been lied to by _____ and _____ about early release _____ My probation terms state that I must _____ which I have done after first approving _____ then again confirming it was acceptable each month I _____ The _____ cannot object to _____ as my terms of probation never stated that _____ based on the fact that I have lawfully complied with these terms I should be released immediately. In my opinion _____ will retaliate by rejecting my early termination and simply stating another fictitious reason for doing so out of anger and resentment just as _____ treated _____ It is a _____ responsibility to enforce the early release I was promised and to hold others accountable for their misconduct. I would argue that _____ is simply incapable of that given _____ clear and habitual bias to _____ former employers in _____ All I ask is that you quit lying to me. I met my terms and conditions and will be released early without threats or retaliation from _____ I feel this complaint justifies _____ being replaced on my case as _____ has been reprimanded for retaliatory and unlawful conduct in the past. _____ is likely to commit the same offenses again. _____ struggles with a severely damaged reputation for the misconduct that takes place within this notorious legal community. I expect all of you will make sure that _____ is not in a position to make _____ look even worse than it already does.

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