

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 17-231

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Judge:

Complainant:

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**ORDER**

The complainant alleged a pro tem municipal court judge did not afford him an opportunity to be heard in court and improperly refused to appoint him a new attorney.

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 Louis Frank Dominguez did not participate in the consideration of this matter.

Dated: October 18, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer  
Executive Director

Copies of this order were distributed to all appropriate persons on October 18, 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**

2017-231

**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.

(SEE ATTACHED) (3 PAGES)

ON MULTIPLE OCCASIONS JUDGE [REDACTED]

SAT FOR JUDGE [REDACTED] ON MY CASE IN [REDACTED]

ON [REDACTED] IT WAS ORDERED THAT I APPEAR BEFORE JUDGE [REDACTED], WHOM I STILL HAVE YET TO MEET, FOR A FINAL TRIAL READINESS CONFERENCE. DURING THAT CONFERENCE THERE WERE ISSUES RAISED ABOUT MY DISPLEASURE WITH MY COUNSEL AND HIS PERFORMANCE ON MY CASE. FOR THIS HEARING MY ATTORNEY WAS REPRESENTED BY ANOTHER LAWYER FROM THE DEFENDER'S OFFICE. IN A PRIVATE MEETING WITH THIS DEFENDER I WAS INFORMED THAT THE EVIDENCE I REQUESTED WOULD NOT BE PROVIDED, AT WHICH POINT I INFORMED HER THAT I INTENDED ON ADDRESSING THE COURT REGARDING THE MATTER. SHE ACKNOWLEDGED MY INTENT AND WE PREPARED TO ENTER COURT. BEFORE I RETURNED TO COURT, A STACK OF PAPERS WERE GIVEN TO ME, SAID TO BE THE INFO I REQUESTED. UPON MY REVIEW I REALIZED THAT IT WASN'T AND IN FACT DID NOT PERTAIN TO MY CASE AT ALL. WHEN I ARRIVED TO THE COURT ROOM, THE LAWYERS DISCLOSURE OF THE INFORMATION I WAS GIVEN AND MOVED TO SET A TRIAL DATE AND CLOSE THE SESSION. AT WHICH POINT I INTERRUPTED THE ACTION AND BEGAN TO ADDRESS THE COURT. I WAS THEN INTERRUPTED AND ADVISED NOT TO ADDRESS THE COURT. I CONTINUED TO STATE MY ISSUES AND WAS THEN BUFFED BY JUDGE [REDACTED] AND TOLD THAT I WAS ADVISED TO TO SPEAK AND MY STATEMENTS WERE DISREGARDED. THUS, DENYING MY RIGHTS TO SPEAK ON MY OWN BEHALF AT ANY PROCEEDING. AS GUARANTEED BY THE U.S. CONSTITUTION. ON [REDACTED] DURING

2017-231

MY TRIAL, JUDGE [REDACTED] SAT FOR JUDGE [REDACTED] AGAIN.

WHEN THE COURT WAS OPENED FOR TRIAL, [REDACTED] MY ATTORNEY ON RECORD ASKED THE JUDGE IF I MAY ADDRESS THE COURT, PER MY REQUEST. I HAD WRITTEN A STATEMENT THAT I WAS PREPARED TO READ ONTO THE RECORD TO PREVENT THE EVENT OF ME FORGETTING ANYTHING. I DETAILED ISSUES REGARD MY LACK OF EFFICIENT COUNSEL. I MENTIONED THAT I WAS BEING FORCED TO PROCEED TO TRIAL WITHOUT THE EVIDENCE AND WITNESSES I REQUESTED TO DEFEND MYSELF. I ALSO POINTED OUT HOW I DID NOT FEEL AS IF I WOULD RECEIVE A FAIR TRIAL IN THAT COURT. ALL OF THIS WAS CONTAIN WITHIN THE DETAILS OF MY WRITTEN STATEMENT, WHICH SHE INTERRUPTED AND ORDERED THAT SHE WOULD READ HERSELF OFF THE RECORD. AFTER COMING BACK ON THE RECORD THE JUDGE ACKNOWLEDGED MY DESIRE TO REMOVE [REDACTED] FROM MY CASE. SHE STATED THAT SHE WOULD NOT GIVE ME A CHANGE OF COUNSEL BECAUSE [REDACTED]

[REDACTED] "SHE THEN ORDERED HIM REMOVED AND THEN ORDER I REPRESENT MYSELF, REFUSING MY RIGHT TO COUNSEL FOR TRIAL, VIOLATING MY RIGHT OF COUNSEL PROTECTED BY THE U.S. CONSTITUTION AND ARIZONA RULES OF PROCEDURE. SINCE THEN I HAVE BEEN WRITING MOTIONS AND REQUESTING INFORMATION TO PREPARE MY CASE FOR TRIAL, WHILE BEING DENIED ACCESS TO BOTH THAT INFORMATION AND THE COURT, AS I AM AN [REDACTED]

[REDACTED] MY NEW TRIAL DATE HAS BEEN SET FOR [REDACTED] AND I CAN'T PREPARE NOR WILL I HAVE REPRESENTATION,

WHICH IS MY RIGHT ACCORDING TO ARIZONA RULE OF  
PROCEDURE (RULE 6.1(B)) (RULE 6.2(B,C))

I FEEL THERE IS JUDICIAL BIAS ON MY CASE WITH THE [REDACTED]  
[REDACTED] AND THIS PARTICULAR JUDGE IS WILL CAUSE ME TO  
HAVE AN UNFAIR TRIAL, BY VIOLATION MY RIGHTS AND PROTECTIONS.