

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-040

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Judge:

Complainant:

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**ORDER**

The complainant alleged a pro tem superior court judge improperly asserted jurisdiction over him and falsified the record in a criminal case.

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).

Dated: April 4, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie

Executive Director

Copies of this order were distributed to all appropriate persons on April 4, 2018.

*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

2018-040

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 \_\_\_\_\_ I, \_\_\_\_\_ appeared before pro-tem \_\_\_\_\_, and informed him that I wished to represent myself in the action against me.

) The <sup>1</sup>attorney present also informed that there was not any agreements, so that she could represent me in the action.

I, \_\_\_\_\_, immediately informed that I challenge the subject matter jurisdiction of the court. (twice) and requested that the prosecutor prove jurisdiction over me.

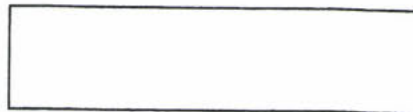
\_\_\_\_\_ refused to allow such such jurisdictional challenges. Instead, he immediately ordered me into Rule # 11, for full mental examinations. The court did not have any motions, nor evidence before it which to form a basis for the full ~~rule~~ rule # 11 examinations. This action by \_\_\_\_\_ allowed a delay in my legal defense of my self that gave an unfair advantage to the state of Arizona over me. And it also caused me not to have the benefit of rule # 5 applied to my legal defense at the critical stage of preliminary hearing. His actions were done knowingly and with the deliberate intentions to cause me harm.

In addition to the delay of \_\_\_\_\_ caused by \_\_\_\_\_ + His court order, also forced an <sup>2</sup>attorney onto

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ME while knowing it went against my express wishes to represent myself at this critical stage of the action. The appointed attorney didn't challenge any violations of my rights nor did he confer with me on any issues, rather, he allowed the violations to run their course.

\_\_\_\_\_ has also falsified the record in this action by claiming and allowing the ~~state~~ state to claim that the date of my appearance was not preliminary hearing on \_\_\_\_\_, but that it was 8 \_\_\_\_\_.

I did not appear on \_\_\_\_\_ and there was no determination of probable cause until at approx \_\_\_\_\_ By way of Grand Jury indictment. I challenged jurisdiction. The ~~court~~ court did not have jurisdiction to cause my mental examination/dely of defences, until after either Grand Jury indictment, or finding of probable cause at preliminary hearing. The court under \_\_\_\_\_ did not have any jurisdiction over the issues (subject matter jurisdiction) and knowingly acted with want of jurisdiction known to the judge; then also acted to cover up those violations by presenting dates in which the court knew were false. (Several other judges refused to correct the violations when it was presented to them. This problem should be investigated. ....)

\_\_\_\_\_ acted deliberately, to prevent me the benefit of certain right under the Constitution's and Rules of Court. I believe I saw this judge ~~pre~~ represent a client, or \_\_\_\_\_ in court room, acting as an attorney who received a favorable ruling from his court. 3