

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-273

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Judge:

Complainant:

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**ORDER**

The complainant alleged a justice of the peace was biased against her, engaged in improper demeanor, and coerced her into accepting a plea agreement.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 officer 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 Roger D. Barton did not participate in the consideration of this matter.

Dated: January 29, 2019

Copies of this order were distributed to all appropriate persons on January 29, 2019.

*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**

2018-273

**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 have attached some excerpts of my new attorney's rough draft of the post-conviction appeal. I apologize for any inconsistencies as this is only a draft; she hasn't sent me any of my paperwork pertaining to this case, nor did my last attorney, though I requested them a few times now. Unfortunately, I do not make enough money to pay an attorney for their time to fight for my justice, so I have to suffice with public defenders - who are overworked to the point of not caring - and cross my fingers that the judges in my hearings are impartial and possess common decency and common sense. That has not worked in my favor yet.

If you would like a copy of the full appeal, I am sure my attorney can provide a copy when she has the time. Thank you for the opportunity to address this concern of mine; it is much appreciated.

When I attended my telephonic court hearing it was immediately apparent to me that the judge was already biased against me and very irritated with me as well. I can only guess at why that may have been, since I had never spoken to her before. I barely even spoke to my lawyer, who would go months without answering my calls or e-mails, so I am not sure of how many continuances were asked for on my behalf, or granted, or what reasons were given. My attorney never told me any of that, therefore I must admit I was surprised at the disrespect, sarcasm, and mean-spiritedness shown to me by Judge

Prior to this case I had thought that the U.S. still had a justice system that did occasionally dispense real justice. After being told by the arresting sheriff “

”, my hopes that I would receive any justice at all began dwindling at a rapid rate. My attorney’s unwillingness to do absolutely anything but push me into a plea I was not accepting did not help matters. However, the hearings I had with Judge really hit home how impossible it is for people like me to receive any actual justice. I requested a new attorney who would do her job and was only insulted. My attorney requested to withdraw as my council, and her motions were ignored. The *only* reason I accepted a plea is because I was told something regarding facing in prison if I lost at trial later, and since it was clear that my attorney was not doing her job, I did not want to risk it.

I attempted to file for a post-conviction relief with the help of an obviously incompetent attorney here in who gave me an envelope to mail that was addressed to the wrong court. I received a letter from the that had been sent to several other parties (I don’t have it anymore because my lawyer here first said she lost it, then said she never had any paperwork from me at all) that

suggested perhaps I needed an attorney. I spent hours on the phone trying to obtain legal aid, only to find that after I had to take that plea, Judge had a hearing in which she appointed me another attorney. She had appointed me a new attorney a to my call, only I was never informed of the hearing before it was held, and I was never informed that I had been assigned new council afterwards. I am not sure who was responsible for letting me know about such important decisions taking place without my knowledge, but I am certain I should have been informed. After all, as soon as I took the plea, Judge told me that since I had taken the plea I had no reason to contact my old attorney anymore.

I may be mistaken, but none of this seems to be honorable conduct coming from a judge. So far, in the past (which seems an excessive length of time for a “ ” – in which I was

, all I have learned is that my 6<sup>th</sup> and 8<sup>th</sup> amendment rights\* – and probably others as well – have been trampled all over, and that the only people who see justice served are those who have the money to pay for it. My

GPA does not count for anything anymore, either, since I cannot find a good job with the on record (despite having in the almost since this occurred). That is a shame, since I make less than \$ and my car insurance now takes almost income. I never realized that doing the right thing could be so expensive!

I do realize that this committee is only looking at Judge conduct and the rest of those issues are for a lawyer to deal with. I would have one deal with them if public defenders weren't so busy they ignore most correspondence and only communicate occasionally, if I get angry enough. I have lost every ounce of faith I ever had in the United States justice system, but I would still like to think

that someone else will see that Judge                      handled herself unprofessionally and in a manner unbecoming

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\* AMENDMENT 6

In all criminal prosecutions, the accused shall **enjoy the right to a speedy and public trial**, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; **to be confronted**

**with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defense.**

**AMENDMENT 8**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**THE COMMISSION'S POLICY IS  
TO POST ONLY THE FIRST FIVE  
PAGES OF ANY DISMISSED  
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE  
REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**