

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-289

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Judge:

Complainant:

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**ORDER**

The complainant alleged that a superior court judge attempted to coerce her into taking a plea deal and has violated her speedy trial rights.

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.

The commission does not have jurisdiction to review the legal sufficiency of a judicial officer's rulings. In addition, 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 Denise K. Aguilar did not participate in the consideration of this matter.

Dated: January 9, 2019

Copies of this order were distributed to all appropriate persons on January 9, 2019.

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

To whom it may concern:

My name is \_\_\_\_\_ and I am  
writing this letter to voice a formal complaint  
for judicial misconduct against Judge  
\_\_\_\_\_ who is a \_\_\_\_\_ Judge in  
\_\_\_\_\_ County.

I appeared before Judge \_\_\_\_\_ on  
\_\_\_\_\_ for a settlement conference, possible  
change of plea. I was confused as to why  
my trial Judge was also my settlement  
Judge since previous settlements were in  
front of Judge \_\_\_\_\_.

At this hearing  
I was considering acceptance of a plea  
agreement of \_\_\_\_\_ soft time that had  
been left on one table by my prosecutor,  
I noted I was presented  
with a different plea for \_\_\_\_\_ that time  
by the new state prosecutor.

When I questioned the fact that I had  
not been told that the plea offer for  
had been pulled, Judge \_\_\_\_\_ stated  
that the state was under no obligation to  
leave the plea on the table. Let it be noted  
at my last settlement conference  
stated that the plea was not

going to go up, and it would be left on  
the table. When I challenged the legality  
of this statement, Judge \_\_\_\_\_ proceeded

to try to coerce me through intimidation to accept the plea for 1st. In doing so she informed me that if I chose to not accept this plea she would stack my cases and issue the maximum sentence possible. She continued to tell me that she does not have to follow the states offer and can sentence me to whatever she deems reasonable at trial. Not only did I feel pressured to accept a plea that was not in the interest of justice I also feel that it is a conflict of interest for the same judge to oversee a settlement hearing and then preside over my trial. After declining the plea offer in no uncertain way tried to force the issue by asking the prosecutor "

I do not understand why as a judge she would be asking the state prosecutor to hold her make this determination! I had already clearly stated my desire to continue to go to trial in this matter. She then stated "

Clearly she is bias towards myself already. In addition to this turn of events let it be known that I have been incarcerated of these charges since

My original trial date was set for Then my trial was pushed

out due to my attorney to  
and

At this

point I held a recess hearing and  
I fired my attorney  
due to ineffective counsel. During this  
hearing Judge stated:

not that I have not assumed time  
but for a the period when  
I was receiving new counsel. At my  
settlement conference el

clearly stated I wanted to proceed  
for trial, and Judge pushed  
out a new date for Case  
status. At this hearing she tried to  
push out my trial for

When I spoke up and stated I am not  
wasting time and benefit she then  
moved it to  
time my lawyer

During this  
stated

he was going to file a motion for the trial  
services, due to my right to habeas  
corpus and family medical issues as well  
as myself. Audio stated:

Judge

is already assuming I am

11/11  
00

by reviewing the statement of a no answer without  
being given the transcript filed she is already late

Also I believe the right to due  
process for fast and speedy trial is  
this means that my trial  
is not within the deadline within my  
rights?

I would like whatever board is  
responsible for overseeing Judicial conduct  
to please investigate this matter and  
respond to this letter of concern in a  
timely matter. Thank you for your  
time and consideration.

Sincerely,