

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-294

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court commissioner abused his discretion, discriminated against him and was biased.

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.*

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2018-294

**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.

DEFENDANT : WAS CHARGED FROM AN ALLEDGED SEARCH WARRANT (SEE ATTACHMENT) DEFENDANT MADE A REQUEST PURSAUNT TO THE ARIZONA RULES OF CRIMINAL PROCEDURES 13-3914 EXAMINATION ON OATH;AFFIDAVITS. DEFENDANT NEVER RECIEVED A TRANSCRIPT OR FINDINGS TO HIS MOTION.(SEE ATTACHMENT) DEFENDANT MADE ANOTHER REQUEST PURSAUNT TO THE RULE 12.5 A.R.C.L.P AFTER STATE FILE CHARGES STEMMING FROM THE SAME ALLEDGED SEARCH WARRANT. DEFENDANT GOT NO RESPONSE OR ANY FINDINGS TO THE MOTION. SEE ATTACHMENT.DEFENDANT MADE ANOTHER REQUEST TO COMPEL DISCOVERY (SEE ATTACHMENT) SAME RESPONSE DENIED NO FINDINGS. DEFENDANT REQUESTED A HEARING TO SUPPRESS THE HEARING TOOK PLACE THE JUDGE DENIED EVERYTHING AND SHOWED BIAS. (SEE ATTACHMENT) DEFENDANT REQUESTED FOR A CHANGE OF VENUE THE RESPONSE (ITS TOO LATE FOR THAT.). THE DEFENDANT NEVER RECIEVED ANY FINDINGS TO THAT,IN WICH HOW CAN HE MAKE THE DETERMINATION ON THE CHANGE OF VENUE IN WICH WAS CAUSED BASED ON HIS CONDUCT.THE DAY THEY WERE ABOUT TO CALL IN THE JURY THE ATTORNEY REQUESTED A CONTINUANCES STATING HE WASNT PREPARED CAUSE HE WASJUST ASSIGNED THE CASE PRIOR JUDGE DENIED, THEN HE ASKED WAS THERE ANY ADDITIONAL WITNESSES THE ATTORNEY FOR DEFENDANT SAID YES THAT THE DEFENDANT SO THEY QUESTION THE PROSECUTOR AND A ATTORNEY THAT WAS CALLED FROM DOWNSTAIRS. THEN THE JUDGE PUT ON THE BENCH AND GAVE TESTIMONY STATING THAT THE ACCUSSATION FROM THE WARRANT WAS ALL DOING AND THAT DIDNT WANT TO GO TO PRISON FOR WHAT DID,SO THEY HAD ARESTED ON THE SPOT AND LOCKED UP WITH A BOND AND THEN THEY CONTINUED THE TRIAL OF THE DEFENDANT. THE DEFENDANT IS COMPLAING OF ABUSE OF DISCRETION, DISCRIMINATION AND BIAS.

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