

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-014

Judges:

Complainant:

ORDER

The Complainant alleged two superior court commissioners engaged in ex parte communication and made improper rulings in criminal matters.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Dated: May 22, 2019

Copies of this order were distributed to all appropriate persons on May 22, 2019.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-014

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 was asked to sign documents with fraudulent dates on them and denied my right to present evidence to prove my innocence. On _____ I had my initial revocation hearing and was denied my right to preliminary hearings (or probation red equivalent). I am currently being held on _____ allegedly occurring on _____ when I was already _____ under _____ for probation violation from _____ The jail's security footage would show I was here and not at the alleged location. The building's surveillance would show the crime if I was guilty. denied my petition to modify release conditions. She turned off the audio and engaged in ex-parte communication with my public defender and the prosecutor _____ and _____).

This fraudulent behavior, impartiality and failure to address the prosecutor's misconduct creates an extreme prejudice. There are at least _____ on this single matter. They are all different but I have _____ in my possession with the motion that was filed to remove the transcripts from evidence. It lacked a seal to authenticate a true bill, a _____ as well as the _____ signature. This obvious attempt to hide evidence shows the lack of good faith basis. I can't have been in two places at once. This proceeding has completely denied my due process and is unconstitutional. Please help.

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I have been denied my rules and had rule 11 started without my informed consent. I have been denied subpoenas for exonerating evidence and witness depositions. I am currently being held on _____ that occurred _____ when I was already on that date _____ for probation violation from the jail's security would show I was here and not at the alleged location. The surveillance would show the actual crime if I was guilty. I was given penal documents with fraudulent dates on them. I signed a plea to try to push this into appeals. It has my public defender and the prosecutor's signature with the false date still in my possession. They pulled it and engaged in ex-parte communication then began the rule 11 process without my informed consent. The indictment lacked a Testamentary Seal for Authenticity and signature. There are at least _____ indictments for this same manner. The transcripts were removed from evidence. I have _____ of the indictments in my possession along with the motion to remove transcripts. Please help.

INMATE LEGAL REQUEST

PRO-PER

PRO-SE

CHECK APPROPRIATE BOX (MARQUE LA OPCION APROPIADA)

Inmate Legal Request (Solicitud Legales):

- Copies(1 Copy Only [Legal Doc])
(Copias(Una Copia Solamente [Documentos Legales])
- Court Filings (Archivar) Legal Forms (Formularios Legales)
- Delivery (Entregar) Mailing (Envio Por Correo)
- Legal Supplies (Articulos Legales) Notary (Notario)
- Legal Research (Investigacion Legal)

PRINT ONLY (IMPRIMA SOLAMENTE)

Please explain your request or questions. Print Clearly. (Por favor de explicar su solicitud o pregunta. Escribir claramente.) _____

File Motion

5066

INMATE LEGAL REQUEST

PRO-PER

PRO-SE

CHECK APPROPRIATE BOX (MARQUE LA OPCION APROPIADA)**Inmate Legal Request (Solicitud Legales):**

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Please explain your request or questions. Print Clearly. (Por favor de explicar su solicitud o pregunta. Escribir claramente.) _____

DO NOT WRITE BELOW THIS LINE - FOR I.L.S. USE ONLY
(NO ESCRIBA DEBAJO DE ESTA LINEA - PARA USO EXCLUSIVO DE LA OFICINA DE ILS)

The crime alleged in this matter is claimed to have occurred on

This is impossible as I was

Professional Conduct (rule 42) 9.1 Membership claims and Contentions... shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is good faith basis in law and fact so that it is not frivolous...; the jail, building and multiple businesses have security footage showing that I was and not at the location. This shows a complete disregard for propriety and lack of respect for the legal system as the law's procedures should only be used for legitimate purposes. Pursuant to a Habeas Corpus Trial (rule 8) I made it clear on and multiple other hearings I did not waive this right, the court continues to be wasted with a frivolous case after excessive continuances and a ruled hearing against my informed consent. Substantial exonerative evidence exists and my oral and written petitions for these subpoenas show a distinct lack of fairness and impartiality. In a single hearing my public defender was both orally and confirmed in writing, then approved abusive, brought a plea signed by all parties. My lack of confidence in this made it a reasonable belief that it was to sign and get this to appeals.

permitted against my informed consent. Pursuant ARS 15-5467(A) at his appearance before a judicial officer, any person who is charged with a public offense that is bailable as a matter of right shall be ordered released pending trial on his own recognizance... Further prejudicing this matter. My oral petition for modification was denied as well as the following petition for as counsel. Pursuant rule 42 1.16 (3) "... lawyer shall not represent client

(b) the lawyer is discharged... " yet continues representation. I was denied failed to address this issue. I was also denied a preliminary hearing (Rule 42 FR 1.4 (a) (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent are to be accomplished (3) Keep the client reasonably informed about the status of the matter for promptly comply with a request for information. I have a right to adequate counsel and this is also clear conflict of interest. Excessive continuances and ruled hearing constitute incompetency and misconduct with the failure to address evidence issues and false testimony by Pursuant rule 42 ER 3.2 Lawyers shall make reasonable efforts to expedite litigation. 42 ER 3.3 (a) not knowingly (1) make a false statement of fact to a tribunal or fail to correct a false statement of material fact... (2) ... (3) offer evidence that the lawyer knows to be false... material evidence and the lawyer comes to know of it, the lawyer shall take reasonable remedial measures..." The Prosecutor in denying subpoenas and bond created a substantial prejudice.

MA ER 3.4 a lawyer shall not (a) knowingly assist another party's access to evidence... (b) ... (d) ... fail to make reasonably diligent effort to comply with a legally proper discovery request. I made aware of lacked and in off the record ex parte communication. The aforementioned plea was followed by ex parte of and Pursuant rule 42 ER 3.5 a lawyer shall not (b) communicate ex parte with such a person during the proceeding unless authorized to do so by law. on I was being seen on a misdemeanor further proving that I was being Pursuant rule 42 ER 3.8 the prosecutor in a criminal case shall: (a) refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause.

In conclusion I can not possibly be guilty of the allegations and violation of my constitutional rights and a waste of the time and extreme prejudice would only result in a denial of subpoenas and need to be addressed. I would like to file a complaint against all Keep me informed. of this matter is an extreme fine. The Due process violations, misconduct, impartiality unlikely event of a impartiality obviously. Please

P.S The transcripts were removed. This is an attempt at hiding evidence. There have been at least different indictments all for this single matter. I have of them in my cell and the motion to remove them.

**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.**