

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-097

Judges:

Complainant:

ORDER

July 24, 2019

The Complainant alleged a superior court judge was biased against him and improperly refused to disqualify herself in his criminal proceedings. The complainant also alleged a second superior court judge improperly denied a request for a change of judge.

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).

Copies of this order were distributed to all appropriate persons on July 24, 2019.

To: Commission on Judicial Conduct

Re: Update regarding Complaint

From:

Complainant wants to update this body and ask for a review of the previous finding. This body is asked to consider the following: 1) Magistrate Judge _____ of the _____

Court in case no. _____

stated

in regards to Judge _____ serving as the trial judge in my case after being listed as the prosecutor and admitting on the record that she prosecuted a previous child molestation case representing the same accusers that, "the reasoning (if not the holding) of Williams v. Pennsylvania, 136 S. Ct. 1899 (2016) could extend to the"

Does this body still believe that recusal was not warranted?

Does this body still believe that Judge _____ sufficiently investigated this matter?;

2) Judge _____ also stated, regarding the prosecutor's closing statement during my case, "

"and"

Judge _____ warned the prosecution about comments in _____

reference to this interview and was aware that the defendant had

"It appears that in a situation like this an unbiased trial court normally would"

(Mass.) 1977, 552 F.2d 385)

I believe the judge's failure to act shows her bias;

3) Judge delayed ruling on my Rule 32 petition (motion for reconsideration) for almost

4) Judge failed to rule on my motion for an extension of time to file my Petition for Review in the

and that failure has possibly prevented Federal review of constitutional claims that would entitle me to relief.

I would like this body to look into the actions of Judges and from the decisions not to recuse, the ruling on the motion to recuse and all of the repeated adverse, arbitrary and capricious decisions made.

Thank you.