

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 19-194

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Judge:

Complainant:

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**ORDER**

September 25, 2019

The Complainant alleged a superior court commissioner violated Rules 1.1, 1.2, 1.3, 2.2, 2.3, 2.4, 2.5, 2.9, 2.10, 2.12, and 2.15 of the Code of Judicial Conduct 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).

Commission member George H. Foster, Jr. did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 25, 2019.

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

**FOR OFFICE USE ONLY**

2019-194

**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.

PRO SE:

**FORMAL COMPLAINT**

Dear Judicial Commission:

I, Mr. \_\_\_\_\_ Pro Se and Complainant, hereby files this Formal Complaint upon the advice of former advisory council, \_\_\_\_\_ Public Defender,

Commissioner \_\_\_\_\_ is guilty of intentionally, vindictively and maliciously violating the Rules of Arizona State Supreme Court Rule 81 Cjc. VII. Judicial Ethics, Rule 81, Cannons 1 & 2, Ref. Annotations of the Arizona Code of Judicial Conduct. Commissioner \_\_\_\_\_ in collusion. and in concert, with the Arizona State Prosecution, specifically, State Actor/Deputy Prosecutor \_\_\_\_\_ have engaged, deliberately, with vindictive, malice of forethought, in a State Actor Conspiracy, Under the Color of Law, to deprive Mr. \_\_\_\_\_ the Complainant, of substantial Civil & Constitutional Rights, including, but not limited to, the 5th. & 14th. U. S. Constitutional Amendments: Denial of Due Process; Denial of the Right of Discovery; Arizona State Constitution 6th. Article-Denial to Confront Witnesses; Denial of Compulsory Service; to normal, and reasonable, pretrial time, to prepare for trial; Violation of the U. S. Constitutional 6th. Amendment-Denial of Effectual Representation in Absentia, and Mr. \_\_\_\_\_ Right to be present during all proceedings. All said overt/covert concerted actions, perpetrated with vindictive, malice of forethought, by said State Actors, in furtherance of a Criminal Conspiracy, Under the Color of Law, to deny Mr. \_\_\_\_\_ the Complainant, of a fair trial and to illegally railroad him into prison. From the very onset of the assignment of the criminal traffic complaint, and indictment, of Mr. \_\_\_\_\_ to Commissioner \_\_\_\_\_ Court, Commissioner \_\_\_\_\_ has worked " \_\_\_\_\_ " with State Prosecutor and Actor, \_\_\_\_\_ to vindictively deprive Mr. \_\_\_\_\_ of his constitutional Rights of Due Process, and a fair trial. Prima Facie Evidence of said " \_\_\_\_\_ ' conspiratorial collusion are the actual court records; transcripts; court docket; minute entries; audio/video records of all court dates, and prejudicial actions and the abuse of discretion in adjudications, evidenced thereof. Commissioner \_\_\_\_\_ continually engaged in a systematic " \_\_\_\_\_ ' by consistently upholding and enforcing all malicious, vindictive State proprietorial overt/covert motions, actions and in-court oral session directives. All said actions are in direct violation of Rule 81, Cannon 1, Rule 1, failure to uphold the independence, integrity and impartiality of the judiciary. Rule 1.1 failure to comply with existing law and the code of judicial conduct Rule 1.2 did not promote public confidence in the independence, integrity, and impartiality of the judiciary. Rule 1.3 abused his judicial office by advancing the " \_\_\_\_\_ " of the State Prosecutor. In violation of Rule 2.2 and 2.3 throughout all court proceedings and adjudications, Commissioner \_\_\_\_\_ exhibited extreme bias and prejudice, specifically by stating, in open court, that Mr. \_\_\_\_\_ the Complainant, was to be given no leniency in regards to adhering to said timeframes, for all pretrial hearings, requirements and firm trial dates. In fact, Mr. \_\_\_\_\_ had filed a motion for the court to acknowledge that Mr. \_\_\_\_\_ is a lay person, that works full time, and was trying to prepare for alleged \_\_\_\_\_ felony charges and was basically facing a prison term that, at

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defendants age, would be a death sentence, and that the existing time schedule, was premature, unrealistic, physically impossible for Mr. \_\_\_\_\_ to adhere too. Commissioner \_\_\_\_\_ responded, in open court, that regardless of any impinging circumstances, including loss of his job, Mr. \_\_\_\_\_ must comply and proceed to trial immediately, or face the consequences of losing substantial civil rights, and going to prison. All said actions based on the imposed, colluded proprietorial deadlines. A clear showing of a violation of Rule 2.2 lack of impartiality and fairness; and Rule 2.3.conspiratorial bias, prejudice and harassment and extreme influences on judicial conduct, in violation of Rule 2.4. As court record does reflect, Commissioner \_\_\_\_\_ at the behest and malicious direction of Prosecutor \_\_\_\_\_ in violation of Rules 1.1, 1.2, 1.3, 2.2, 2.3, 2.4, 2.15, and 2.5, knowingly and with intentional malice of forethought, denied and obstructed Mr. \_\_\_\_\_ Civil Rights: to Confront Witnesses against him; to use Compulsory Subpoena Power, of the court. Thus, denying Mr. \_\_\_\_\_ the physical ability to have meaningful interviews, and an investigation of the facts, in order to prepare for trial. When Mr. \_\_\_\_\_ questioned said obvious obstructive rulings, Commissioner \_\_\_\_\_ stated that Mr. \_\_\_\_\_ could just interview said state witnesses at trial??? An obvious showing of extreme bias and state prosecution external influence on judicial conduct, violating Rule 2.4. When Mr. \_\_\_\_\_ removed \_\_\_\_\_ and \_\_\_\_\_ to \_\_\_\_\_ Court of Arizona, \_\_\_\_\_ Division, pursuant to U.S. Code Title 28, Part IV Chapter 89 §1443;§1455, for said substantial " \_\_\_\_\_ ; Commissioner \_\_\_\_\_ in collusion with the State Prosecutor, \_\_\_\_\_ engaged in corrupt judicial prejudicial " \_\_\_\_\_ communications, between themselves and Judge \_\_\_\_\_ of the \_\_\_\_\_ Court of Arizona, \_\_\_\_\_ Division, in direct violation of rules 1.1; 1.2; 1.3; 2.2; 2.3; 2.4; 2.5; 2.9; 2.10; 2.12; and 2.15. Court records and videos will evidence, that Commissioner \_\_\_\_\_ admitted, in open court, on two separate occasions, at the verbal status requests of \_\_\_\_\_ which is prima facie evidence of state actor conspiracy, that \_\_\_\_\_ and his staff were in constant, hourly and daily communications with Judge \_\_\_\_\_ and his staff. of \_\_\_\_\_ Court of Arizona, \_\_\_\_\_ Division, who was the judge adjudicating Mr. \_\_\_\_\_ and \_\_\_\_\_ " \_\_\_\_\_ went on to say, in violation of Rule 2.10 judicial statements on pending cases, that he and his staff had been informed that said removals had been dismissed, and that they were just awaiting paper confirmation, so that he could immediately proceed to trial, on both cases. At these same said hearings, \_\_\_\_\_ keep orally directing the court to ignore the \_\_\_\_\_ removals and proceed to trial, another showing of collusion, of State Prosecution and Court. Commissioner \_\_\_\_\_ engaged in a consistent pattern of obstructing justice by denying almost all motions and pleadings, accurately cited Memorandums and Points of Authority, created by Mr. \_\_\_\_\_ including motions to continue, in order to immediately to move forward, to trial. Mr. \_\_\_\_\_ was forced to abandon prosecution of his \_\_\_\_\_ removal defenses, when Mr. \_\_\_\_\_ without probable cause, was illegally entrapped by surveillance of himself directed by unknown DPS state actors and DPS Officer \_\_\_\_\_ who was waiting for Mr. \_\_\_\_\_ as he was corralled and driven onto the \_\_\_\_\_ entrance to \_\_\_\_\_ Officer \_\_\_\_\_ vehicle was parked and waiting at the \_\_\_\_\_ and when she saw Mr. \_\_\_\_\_ she pursued him, and then illegally, fraudulently charged Mr. \_\_\_\_\_ with a new DUI. Another officer stated the reason for the stop was Mr. \_\_\_\_\_ suspended license: \_\_\_\_\_

CONTINUED..... SEE ATTACHED.

**COMMISSION ON JUDICIAL CONDUCT FORMAL COMPLAINT, CONTINUED...**

The timing of new charges filed by the same officer, Officer \_\_\_\_\_ as in case number \_\_\_\_\_ as well as the deliberate manufacture of perjured, fraudulent and false evidence and testimony of Officer \_\_\_\_\_ concerning same, is all very implausible, in nature. At the initial hearing of said new alleged, false charges, Prosecutor \_\_\_\_\_ testified that Mr. \_\_\_\_\_ was to be held without bail, in violation of Article 22 of the Arizona Constitution, which states that Mr. \_\_\_\_\_ was bailable as a matter of right. However, Mr. \_\_\_\_\_ was inadvertently released from jail, and Mr. \_\_\_\_\_ a Pro Se Defendant, now in extreme fear for his life, decided to walk away to save his life and secure the safety of his family and his. Mr. \_\_\_\_\_ was not present in Arizona from \_\_\_\_\_ when Mr. \_\_\_\_\_ decided it was in his family's best interest, to turn himself in, to the local authorities, and fight the illegalities and fraud of Commissioner \_\_\_\_\_ Deputy Prosecutor \_\_\_\_\_ and Officer \_\_\_\_\_ Due to Mr. \_\_\_\_\_ Pro Se Defendants' extreme fear for his life, and his walk-away from his cases in chief, Mr. \_\_\_\_\_ Appeal cases \_\_\_\_\_ were dismissed, due to lack of prosecution. Commissioner \_\_\_\_\_ vindictively, with bias, and malice of forethought, adjudicated \_\_\_\_\_ in absentia. Commissioner \_\_\_\_\_ appointed state actor provocateur Deputy Public Defender, attorney \_\_\_\_\_ to represent Mr. \_\_\_\_\_ in absentia. \_\_\_\_\_ then purposely abandoned and ignored Mr. \_\_\_\_\_ federal removals and the legal reasoning and defenses, for said removals, acquiescing to the State Courts' false agenda, that said egregious, due process violations, used by the State of Arizona to railroad citizens into prison, need to be accepted as normal? The court record will show Commissioner \_\_\_\_\_ continued his bias, prejudicial adjudications throughout Mr. \_\_\_\_\_ trial in absentia, consistently denying any and all motions or pleadings that had exculpatory, or probative value, to Mr. \_\_\_\_\_ defenses, even dismissing prima facie evidence, thus leading to grave manifest injustice and the illegal absentia conviction, of Mr. \_\_\_\_\_ Commissioner \_\_\_\_\_ in one last act of vindictive bias, made it a matter of court record that Mr. \_\_\_\_\_ was not eligible for bail, violating the United States and Arizona Constitutions, (wherein Mr. \_\_\_\_\_ is allowed bail as a matter of right!), because Mr. \_\_\_\_\_ was facing mandatory prison for his conviction in the \_\_\_\_\_ case? Colorable, vindictive, malicious prosecution was repeatedly condoned and acquiesced to, by Commissioner \_\_\_\_\_ on multiple, overt occasions, all throughout the supposed unbiased pretrial ARCP Rule 16 time period. This premeditative, biased, prejudicial attitude created, in all court actions in both \_\_\_\_\_ .....as evidenced by the multiple filings, of the State, in both cases " \_\_\_\_\_ " wherein the prosecutor, Mr. \_\_\_\_\_ " \_\_\_\_\_ " ( \_\_\_\_\_ ... to change the indictment for that case, to state the same), " \_\_\_\_\_ . Evidencing that the State was literally altering the indictments, for \_\_\_\_\_ separate cases, to include allegations of pending cases that had not been adjudicated, as of the date of the indictment, or the filing of the amended indictments on \_\_\_\_\_ in direct violation of ARCP Rule 13.5 (a), (b). The State, in effect, fraudulently amended these indictments, with the vindictive, malicious intent to prejudice the judge and jury, with false allegations of biased, possible future convictions, a fraudulent criminal act. ARCP Rule 13.5 (b) states "a charge may be amended ONLY to correct mistake of facts or remedy" "formal or technical defects" and may only be done if "the defendant consents". The defendant was never asked to consent, has NOT consented, and in fact, on \_\_\_\_\_ filed a motion to deny " \_\_\_\_\_ ' request for a rule 609 hearing and of allegations of prior felonies subject to Rule 403 exclusion of relevant evidence", and thereby challenged the legal sufficiency of the States allegations. Said motion was never ruled on, evidencing the deliberate, prejudicial indifference of Commissioner \_\_\_\_\_ and colorable collusion with the State Actors and the fraud of Deputy Prosecutors, Mr. \_\_\_\_\_ and Mr. \_\_\_\_\_ Mr. \_\_\_\_\_ filed multiple requests for a 609 hearing to be able to impeach the Defendant, even with \_\_\_\_\_ year old non- historical convictions and open, unproven felony charges. \_\_\_\_\_ claimed in his \_\_\_\_\_ Pretrial statement that the state is alleging " \_\_\_\_\_ " " \_\_\_\_\_

“ ( ) is for counts of  
”, “ ”, “ ”, and made the same  
colorable claim to enhance ; with the open case of counts of unproven  
aggravated DUI from case ; by the state definitively stating that defendant  
has the and using said non-convicted, unproven felonies, to determine “  
” stating definitively that “

”, the prosecution in essence is engaging in criminal malicious, malfeasance. Said  
Colorable State Actors fraudulent corruption of Court processes, with the deliberate, premeditated  
purpose of prejudicing and colluding with the Court to deny Defendant a fair and impartial trial.  
Prima facie evidence that Commissioner has worked in collusion/unison with said “  
” “ ” is contained in the digital video/audio of all pretrial,  
and trial processes. Commissioner did nothing to stop the vindictive malfeasance and  
prejudicial misconduct, as evidenced by state actors Mr. and Mr. with all pretrial  
statements for .....which states that the State is seeking “  
” that “ ”, evidencing the  
corrupted usage of unproven allegations as prior felonies, to illegally enhance defendants  
sentencing range to a “ ’ to be imprisoned for a ‘  
”. Defendant has  
from a case where the arresting officers state that defendant was “  
” and where defendants is with the plus/minus factor is which  
equals a barely above the If Colorable State Actors, Mr.  
and have their way, the Defendant would presumably serve in prison for this one  
incident, and another years for ....., for a total of for an aggrieved total  
of years.....Both terms death sentences, for the Defendant, who is currently in his Year.  
This also does not include case number .....wherein the Defendant would serve an  
additional years, making the total possible sentencing, of over years for non-victim,  
non-accident, no extreme no moving violations, just minor traffic infractions. Prosecutors,  
Mr. and Mr. have offered no plea agreement, or settlement conferences, on any of  
these cases. Said Colorable State Actor actions, are indisputable, prima face evidence of criminal,  
vindictive, biased, prejudicial, malicious prosecutions, filed with the Clerk of Courts making it a  
matter of Court and Public Record. Commissioner has NOT taken any steps to protect  
Defendants legal and Constitutional Rights, by informing the appropriate authorities, or by  
disciplining or sanctioning said Criminal State behavior, instead Commissioner has  
enjoined, and colluded with, the said State Actor Conspiracy, Under the Color of Law.

\*\*\*\* Counts & ; and Counts of the  
colorable, fraudulent State Actor Indictments, are facially defective and insufficient as a matter  
of law.\*\*\*\*\* AMENDED INDICTMENTS??????

Mr. now has all cases under Appellate Review, in Court of  
awaiting an evidentiary hearing,  
Case Number is Case Number is Mr.  
Pro Se Defendant, and Complainant, is now in the process of the investigation of the material  
facts surrounding said “ ” and will be issuing Court  
Subpoenas to any/all relevant entities for information, evidence and all the discovery requested  
that was denied by County Court Commissioner Deputy Prosecutor

Agents, and Public Defender as it all relates to evidentiary hearings from Formal Complaints sent to the and the . At the behest of the state prosecution, Commissioner summarily denied entry of prima facie evidence, on multiple occasions. When conclusory evidence was submitted, thorough testimony at an evidentiary hearing, showing that Complainants' was obtained through a corrupt, fraudulent process of Officer Commissioner summarily denied said " ". Officer had fraudulently filled out all information she was not, by law, allowed to do, including her alleged probable cause, and criminally perjured herself by claiming that Officer was the material witness, and affiant, for the blood draw search warrant. All said actions are direct fabrications and lies, which void the and all evidence with the perjured testimony thereof, alas " ". Also, all expert toxicologist's: for state; and for the defense, stated, in writing and through testimony, that Complainants blood was " " and that said sample and testing did not conform or adhere to Arizona Rules of Evidence 702/703 as a " " basis for Complainants' . The defendant motioned for preclusion of his contaminated and again, Commissioner summarily dismissed Defendants' motions, acting as the gate keeper, for the vindictive, malicious, illegal Prosecution. All " " actions, perpetrated " ", have generated fatally flawed prosecutions for the State and thereby have exonerated Mr. the Complainant.

\*\*\*\*Commissioner intentionally shirked his supervisory duties in violation of Rule 2.12 and did not " " Rule 2.15 (b) concerning the evidence of moral turpitude and harassment as inflicted upon Mr. by Prosecutor , throughout all court procedures.

Commissioner has been presiding, for only a however, he has been doing so as he was presiding over a . A kangaroo court is a court that ignores recognized standards of law or justice, and often carries little or no official standing in the territory within which it resides. The term may also apply to a court held by a legitimate judicial authority who intentionally disregards the court's legal or ethical obligations.

It is obvious from the short time that Mr. has been a commissioner and from the damaging documented " " from court records evidencing severe Civil & Constitutional Right deprivations, and violations of judicial conduct, Mr. is unfit for office. Mr. documented actions in violation of all the aforementioned Rules of Judicial Conduct and specifically Rule 2.11 (a) (1), evidence that he should be censured, disciplined and/or removed from office for the benefit of the safety and well-being of the public at large, specifically the Citizens of the State of Arizona.

Respectfully Submitted,  
SUBMISSION.

COMPLAINANT