

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 19-197

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Judge:

Complainant:

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**ORDER**

September 25, 2019

The Complainant alleged a superior court commissioner was prejudiced against him and failed to act on allegations of attorney misconduct.

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 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.

**2019-197**

**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.

On \_\_\_\_\_ I appeared in front of \_\_\_\_\_ to quash a FTA warrant due to a missed court on \_\_\_\_\_. He advised me that it was the \_\_\_\_\_ warrant that was quashed & told me that he didn't know what the issue was but that I had to take good notes or get a better mailing system so I can get in contact & stay in contact with my attorney. I responded that the whole time I had been calling my attorney but would get no answer or response even though he was assigned since \_\_\_\_\_ & when I went to the address he had on file the building was a vacant lot & had been empty for months. I advised him I wanted to know why that I had not received my preliminary hearing withing \_\_\_\_\_ even though I had requested it, attorney \_\_\_\_\_ then told him that it was due to multiple order to continue filed on my behalf & I once again told him that was not what I requested & how the public defenders kept denying to speak to me about my case or provide me documents I kept requesting. \_\_\_\_\_ then said that was something I can discuss with my attorney & that we he didnt know how the \_\_\_\_\_ office works but that we are already close to getting the case settled & that to show up to my court dates to get it over ASAP. Prior to this there had been discovery disclosure from prosecutor & notice of defenses filed by \_\_\_\_\_ so he was WELL aware of what was going on but acted as if he didnt know. Instead of complying with his duties he told me he was not gonna review my file atm to see wether I waived my right to a speedy trial or what the issue was. At the next court date on \_\_\_\_\_ I proceeded to make a statement & advised him how there has been numerous violations & that I had been misinformed, attempted to be intimidated & even threatened when trying to assert my rights. He said if I was requesting a change of attorney & that if I want those issues to be heard by the court that I had to file a motion in writing. I told him how they keep denying me files & discovery I kept requesting & that the court has not given me any documents with my future courts & advisement of my rights or even minute entries required to be delivered by mail by the clerks. In summary, I believe he was not only PREJUDICE to me violation Code of Judicial Conduct Rule 2.3 but also in violation of,

Rule 1.1 & 1.2 by failing to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary.

Rule 2.2 by failing to ensure impartiality and fairness to all parties,

Rule 2.5 by refusing to dispose of matters promptly and efficiently, as judges must demonstrate due regard for the rights of parties to be heard and to have issues resolved without unnecessary cost or delay.

Rule 2.6 Ensuring the right to be heard as it is an essential component of a fair and impartial system of justice. Thus, substantive rights can be protected only if procedures protecting the right to be heard are observed.

Rule 2.15 By repeatedly ignoring & refusing to address the fact that public defenders were forging my signature & requesting OPPOSITE of what I had asked which would constitute as lawyer misconduct.