

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-257

Judge:

Complainant:

ORDER

October 23, 2019

The Complainant alleged a justice of the peace did not impartially hear her criminal case and did not rule based on the evidence presented.

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 Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on October 23, 2019.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-257

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 put in a request for evidence that was completely dismissed during the trial. I asked for phone records for the supposed witness in my case _____ and was told by the front desk at the court that I needed to get his _____ in order to make that request. I shouldn't have had to, considering the court already had this information. This prevented me from filing the official paperwork in what they considered a timely manner. My trial has been put off continuously at the very last minute, because someone claimed they needed to be out of town at the time, or that they had a medical emergency that I requested be proven. I was denied the request to prove they couldn't attend due to an emergency.

I also asked that the _____ I had made on the day of the incident would be put into evidence. I received a letter that stated they would allow this, and an attempt would be made to get this evidence. I was not informed that they didn't get this evidence, nor that they would make no effort to get it. I had no idea that the evidence I was told would be allowed and had the requested, _____ would not make it's way to the trial.

A video recording made by the witness was purposely played _____ despite the fact that I brought this subject up during the trial. The initial evidence from the officer in question was of viewing a phone video of this person _____ over and over, and screaming " _____ ". The officer himself said

before the trial, _____ and following me, which would justify my defending myself.

There was another video of the officer talking to me, in which he asked me _____ I very clearly said I didn't. I was accused of hitting someone, who committed vehicular assault against me, with a _____

I mentioned that even though I hadn't hit this person, and the video does not show me hitting him, I would have had every legal right to do so, given that I was being pursued, assaulted and harassed. The judge decided this meant I said I hit him. I said I didn't, and the evidence presented said I didn't.

I am offended that as the actual victim in my case, I was put to trial to begin with. I have filed a complaint about the _____ but I don't feel the judge ruled based on actual evidence presented.

I was convicted for being the victim of an assault. There is no evidence that I had done anything to deserve this. There is ample evidence that the state's " _____ " is a habitual liar. There is also ample evidence that what I had reported to the officer was the truth.

I was told to question any of the supposed witnesses, and every time I'd pose a question to this person, the judge would interrupt me and say _____ I was not allowed to question anyone, because my questions were being interrupted on a continual basis. I was not allowed to ask any pertinent questions that pointed out the lack of integrity of their witness. I have a police report from _____ where the supposed victim described me as a completely different race from the one I am. It was proof, along with the phone records, and the 911 call that I made, that their witness was lying. I was not given my rights to have these things presented during the trial, despite my requesting them formally. His own " _____ " of his attack on me was purposely presented to take the blame off of the actual guilty party. _____ There would have been no reason to do that, if it wasn't an attempt to hide the reality of what was being presented. I mentioned it during the trial, and nothing was done to remedy the situation.

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To the
Prosecutor
During
pretrial

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Phoenix, Arizona 85007

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I believe he ignored relevant information because he had no intention of impartially hearing this case. There was no evidence of any guilt on my part, and no evidence that a crime had been committed by me. I mentioned that the was purposely that was being presented, and nothing was done about this. There was on the footage when it was presented to the officer, so I question why it was allowed to be presented with I was convicted for being a victim of a crime. There is no justification for that. The trial was today I believe any relevant information to help my case was purposely left out of the trial. I requested and was granted the right to evidence to support my side, and then it was not presented or given to me. This is why I feel the judge had no intention of being impartial. I was never given any rights to begin with. I was told in that I would be subpoenaed to appear in the supposed victims trial, and was never told they outright dismissed his case until I brought it up during a further meeting. The judge never informed me of this, nor did the prosecutor. There was no effort to inform me that they had done this. I was not allowed to question any of the witnesses, because no matter how I posed a question, it would be interrupted by the judge as not a ". I fail to see how questioning someone you are speaking directly to, could be construed as not being put directly.