

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-274

Judge:

Complainant:

ORDER

January 28, 2020

The Complainant alleged a justice of the peace improperly issued a warrant for him, improperly held him on a bond, and did not afford him an opportunity to be heard.

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 was unable to review any recording of the arraignment hearing, as the justice court chooses not to record arraignments, as they are not required to do so as they are not a court of record. The Commission reviewed all other 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).

Commission members Denise K. Aguilar, Gus Aragón, Roger D. Barton and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 28, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-274

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.

First issue is that _____ issued a warrant for failure to appear on this case without ANY attempt made to notify me this even existed. I found out about this thru my employer. Awful for a judge to issue a warrant for a misdomeaner with NO Probable Cause. Then when I voluntarily show up to court on _____ turns out the judge changed what was originally reported as failur to appear to a "failure to comply". How is this legal? Prior complaints issued to me were sent to me thru the mail with no issues. I showed to EVERY arrignment.

Second issue is that _____ allowed a Sheriff Deputy (Deputy _____ from the _____) into the courtroom during my arraignment. Not only did he allow a Deputy that was personally harrassing me into his courtroom during an arraignment, but he allowed the Deputy to state false evidence and personal opionion during an Arraignment. Then after quashing the warrant, the judge continued to discuss the case with the Sherrif Deputy in a courtroom full of witnesses and recording. The judge asked the Deputy if I was a danger to society and she said yes. I have NEVER been a danger to anyone in my life. Then the judge listens to the Deputy state that she has " _____ " that I committed some hourendious crime, when in fact she had nothing but an email dicussion with my ex-wife about selling a house we own together. Yet the judge refused to allow me to speak, only the deputy. If I am going to be judged or put on trial during an arraignment, then I HAVE RIGHTS!! MY RIGHTS were violated!

THIRD issue is that _____ held me on a \$ _____ bond AFTER quashing the warrant. Stating that I am a flight risk eventhough I have NEVER missed ANY court date. Then I was arrested in the courtroom AFTER I had voluntarily showed up to court and the judge squashed the warrant. Nobody explained to me what I was being arrested for. I still don't know to this day. When I got to the jail, they didn't show a reason for my arrest. When the bail bondsman contacted the judge, there was NO reason given. The warrant was quashed and a pretrial conference was set for this case.

_____ had absolutely NO legal reason to have me held on a bond. He allowed dialogue in his courtroom during an arraignment. He heard misleading and false infromation from a deputy about this case outside of a proper trial. This was justice at it's WORST.

I'm not the only person that has trouble with _____ interperatation of what is and isn't " _____ ". His obvious biased toward the people in his own town is the worst I've seen or heard of.

PLEASE CHECK THE RECORDING ON THIS!