

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-344

Judge:

Complainant:

ORDER

February 5, 2020

The Complainant alleged a justice court judicial officer set improper release conditions in his criminal case.

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).

Commission member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 5, 2020.

Defendant has been severely prejudiced by the violation of his Eighth Amendment Right against excessive bail and the act of discrimination used unjustly against him by JUDGE in Case No. such legal matter is a non-gang related charge(s). The courts have no authority to falsely associate Case No. to gang related circumstances, nor should the courts wrongfully cause DEFAMATION OF MY CHARACTER by falsely identifying, referring to defendant as a gang member and/or affiliate. Defendant now makes an urgent request to this agency to take immediate judicial notice and/or action(s) against prohibiting such discrimination taking part against defendant in Case No. Your time and concerns in this matter are highly appreciated.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

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.

Please refer to supplemental attachment forms)

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Police Department Detail

Print Date/Time:
Login ID:
Case Number:

ORI Number:

Offense #

Group/ORI: Crime Code: Statute: Counts: Attempt/ Commit Code:

Description: ENDANGERMENT
NCIC Code:

Offense Status:
Clery Location:
Arson Code:
Gang Related:
of Adults:
Property Damage Amt.:
Domestic Circumstance:
Accosting Situation:
Gambling Motivated:
Special Circumstances:

Scene Code:

Status Date:
Domestic Code:
Aiding/Abetting:
of Juveniles:
Abandoned Structure:
Carjacking:
Order of Protection:
Anti-reproductive rights crime:
Prior Inv - Offender:
Hate Bias Indicator:

Offense Date:
Bias/Motivation:

Occupancy Code:
Child Abuse:
Sub-Code:
IBR Seq. No:
Household Status:

Premises Code:
Prior Inv - Victim:
Cargo Theft:
Precipitating Event:

Offender Suspected of Using

Alcohol:
Drugs:
Computer:
Aggravated Assault/Homicide
Circumstances #1:
Aggravated Assault/
Homicide Remarks #1:
Justifiable Homicide
Circumstances :
Method of Entry Type:
Point of Entry:
Method of Exit Type:
Point of Exit:
Direction of Travel:
Counterfeit Type:
Evidence Collected
External Attachments
Evidence
Photos Taken

Weapon Code : Motor Vehicle

Feature:
Weapon Gauge:
Weapon Finish Other:
Weapon Action:

Justifiable Homicide Code

Counterfeit Status:
Criminal Activity

Victim Suspected of Using

Alcohol:
Drugs:
Computer:
Aggravated Assault/Homicide
Circumstances #2:
Aggravated Assault/
Homicide Remarks #2:

Method of Entry :
of Premises Entered :
Method of Exit :
How Left Scene:

Tools Used

Caliber Other:
Weapon Grps:
Weapon Other:
Knife Type:

Larceny Type:

Counterfeit Amount:
Security Systems

Weapon Length:
Weapon Finish:

Caliber:
Gauge Other:

Firearm Make:

Subjects

IN THE

ARIZONA COURT INDICATED BELOW:

STATE OF ARIZONA,

Plaintiff,

VS.

Defendant

Case No.:

ORDER OF PRETRIAL RELEASE

CONDITIONS OF RELEASE

CONDITIONS OF PRETRIAL SUPERVISION

- Spanish Language Preferred
- No Release

Released as indicated below. It is ordered that the defendant comply with the conditions of pretrial release as indicated below:

STANDARD CONDITIONS OF RELEASE:

The defendant shall:

- A. Not leave Arizona without approval of the Court.
- B. Notify the Court of any change in address.
- C. Appear at all Court proceedings.
- D. Obey all laws.
- Own Recognizance.
- Secure Appearance Bond. The defendant will deposit a secured appearance bond with the clerk of the above-entitled court in the sum of \$ _____ (includes surcharges).

Cash Bond Only.

Third Party Custody: The defendant will be released to the custody of:

Name: _____

Address: _____

Telephone: _____

who agrees (a) to supervise the defendant in accordance with the conditions of this order, (b) to use every effort to assure the appearance of the defendant at all scheduled hearings; and (c) to notify the Court immediately in the event the defendant violates any condition of this release or absconds.

I agree to supervise the defendant in accordance with the terms of this order:

Third Party Custody Signature: _____

SPECIAL CONDITIONS OF RELEASE:

The defendant shall:

- E. Not possess or control any firearms, ammunition or deadly weapons.
- F. Not drink alcoholic beverages at all.
- G. No victim contact
- H. Limited victim contact: _____

I. Appear at the Judicial Assistance Unit immediately upon conclusion of today's proceedings to arrange payment for attorney's fee and the defendant must stay current with the monthly payment.

J. Other: _____

It is ordered that the defendant be released and comply with the conditions of Pretrial Supervision. The defendant shall report in person with Court papers to Pretrial Services at the _____ through Friday. _____ on the day of release between 8 a.m. and 5 p.m. Monday

STANDARD CONDITIONS OF PRETRIAL SUPERVISION:

The defendant shall:

- 1. Obtain written approval of Pretrial Services to leave
- 2. Maintain contact with Pretrial Services as directed and keep Pretrial Services advised of current address, telephone number, employment and Court dates.
- 3. Be subject to a curfew established by Pretrial Services.
- 4. Submit to visits at home, work or school at the discretion of Pretrial Services.
- 5. Report all contacts with law enforcement.
- 6. Participate in substance abuse prevention programs, counseling, job search and so forth at the direction of Pretrial Services.
- 7. Not possess or control any firearms, ammunition or deadly weapons.

SPECIAL CONDITIONS OF PRETRIAL SUPERVISION:

The defendant shall:

- 8. Submit to drug testing
- 9. Submit to alcohol testing.
- 10. Global Positioning System (GPS) Monitoring: Abide by the conditions and terms of GPS Program and the curfew restrictions established by Pretrial Services and/or the Court. Not consume alcohol while on GPS.
- 11. Other: _____

DEFENDANT SHALL APPEAR IN THE COURT INDICATED AT THE TOP OF THE PAGE:

Date: _____ Time: _____ AM/PM Arraignment Preliminary Hearing Pretrial

Trial Comprehensive Management Conference Other: _____

WARNING; RECEIPT AND ACKNOWLEDGEMENT:

You have the right to be present at your trial and other proceedings in your case. If you fail to appear as required, an arrest warrant may be issued, the trial or proceedings may be held without you being present, and any appearance bond may be forfeited. Failure to comply with any of the applicable release conditions could result in the issuance of a warrant for your arrest and revocation of release. I hereby acknowledge receipt of, as applicable, a copy of this Order of Pretrial Release Status, Conditions of Release and Conditions of Pretrial Supervision.

DEFENDANT'S SIGNATURE: Refused ADDRESS: _____

DATED: _____

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**