

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-399

Judge:

Complainant:

ORDER

March 25, 2020

The Complainant alleged a superior court commissioner made improper evidentiary rulings in his criminal trial.

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 March 25, 2020.

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

FOR OFFICE USE ONLY

2019-399

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.

TRIAL.
UNETHICAL CONDUCT BY JUDICIAL OFFICER, AND ALSO ABUSE OF DISCRETION BY JUDGE AT ABOUT ON A WEDNESDAY MORNING SOMETHING TERRIBLE HAPPENED IN THE COURTROOM. ON THE PROSECUTOR FOR THE STATE BAR ASK THE JUDGE IF SHE COULD ENTER INTO COURT EVIDENCE THAT SHE HAD WITHHELD FROM THE DEFENCE, 10 MIN BEFORE THE START OF TRIAL. THIS PROSECUTOR GAVE TO MY LAWYER THIS DISCOVERY TO LATE. MY LAWYER OBJECTED TO THE JUDGE NOT TO ALLOW THIS EVIDENCE INTO COURT. THE JUDGE AGREED. THE JUDGE SAID THAT THE STATE CANNOT START ACTING ILLEGALLY JUST BEFORE THE START OF TRIAL. WAS VERY UPSET. THE STATE'S STAR WITNESS FAILED TO IDENTIFY ME IN THE COURT OF LAW. SHE COULDN'T POINT ME OUT IN THE COURTROOM. THE STATE'S CASE WAS GOING DOWN THE TOILET! THEN, IN A SURPRISE MOVE AFTER THE LUNCH BREAK, THE JUDGE SAID THAT SHE WAS GOING TO ALLOW THE STATE'S DISCOVERY INTO THE TRIAL. I WAS SHOCK AND SO WAS MY ATTORNEY. THIS REVERSAL OF HER DECISION BETRAYED THE TRUST THAT I HAD PLACED ON HER. FOR ITS IMPROPER FOR A JUDGE TO ALLOW THE PROSECUTION TO DO THIS. THE JUDGE WAS RECKLESS AND UNETHICAL IN HER DECISION. IT'S INAPPROPRIATE!

OVER →

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Trial.
THE JUDGE WAS BIASED TOWARDS MYSELF AND MY LAWYER. THE TRANS-
SCRIPTS WILL SHED LIGHT ON JUDGE'S CONDUCT AFTER THE LUNCH BREAK.
THE MENTION OF PRIOR CRIMES AND TESTIMONY PREJUDICED
THE JURY AGAINST ME. AND THAT IS ONE OF THE MAIN REASONS
THAT I WAS FOUND GUILTY BY THE JURY. I KNEW THEN WITH-
OUT HESITATION THAT I HAD TO REPORT THIS TO THE ARIZONA
COMMISSION ON JUDICIAL MISCONDUCT. I WAS CONVICTED
ON HE SAID, SHE SAID EVIDENCE. WHERE IS THE LAW IN WHICH
YOU CAN CONVICT SOMEONE ON HEARSAY EVIDENCE. THE
JUDGE MADE AN INCORRECT LEGAL DECISION BY ALLOWING
THE STATE TO ENTER INTO COURT DISCOVERY THAT THE
PROSECUTOR WITHHELD FROM MY ATTORNEY. THE TRIAL WAS
HANDLED VERY BADLY AFTER THE LUNCH BREAK. I LOST TRUST
AND CONFIDENCE IN THE JUDGE AFTER SHE REVERSED HER
DECISION. I FAULT THE JUDGE FOR A LACK OF CANDOR IN
THIS TRIAL. I COULDN'T BELIEVE THAT I WAS ON TRIAL FOR AN
18-PACK OF BEER IN A KANGAROO COURT ROOM. THE JUDGE
SHOULD'VE CALLED A MISTRIAL. I AM DEEPLY TROUBLED BY THE
CONDUCT SHOWN BY JUDGE AND I DIDNT EVEN
TAKE THE STAND IN MY OWN TRIAL.

THANK-YOU MUCH!