

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-148

Judge:

Complainant:

ORDER

July 23, 2020

The Complainant alleged a superior court judge made improper rulings in a post-conviction relief matter.

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 July 23, 2020.

2020-148

Arizona Superior Court in

State of Arizona,
Respondant,

Case No.

v.

Complaint Against Judge

The Commission on Judicial Conduct With Brief.

Petitioner,

Brief, Petitioner prose in forma pauperis respectfully
request this Commission sanction judge for refusing to
comply with Az. Supreme Court Rule 81 et seq.

On I petitioned the court requesting
sanctions against. for refusing to relinquish
Petitioner's Case file so that I can argue the facts of
my case. See Attached Doc Petitioner's "Motion"
dated ; Judge
"Orders" denying my State and Federal right to a copy

of my case file per Az. Constitution Art. 2 Sec. 3; 4; 5; 11; 24; 32; Fed. Constitution Art. 7 14th and 5th Amendment to "due process and equal protection of the laws"; 6th Amendment to the effective assistance of Counsel,

Judge _____ violated Canon One Rule 1.1 by accepting PCR Counsel's PCR Petition ex parte, in violation of of Petitioner's "Motion" _____ per Canon Two Rule 2.6 as the primary interest in this proceeding, and requesting judge _____ accept no filing from Mr. _____ without my signature. This request was reasonable for numerous reasons per Az. S. Ct. R. 42 et seq.

Judge _____ violated Canon One Rule 1.2 by allowing _____ to operate without his client's knowledge, till after filing, in violation of ER 1.1; ER 1.2(a); ER 1.3; ER 1.4; and ER 8.4. Thus failing to avoid the impropriety committed by both judge _____ and counsel _____ in violation of those laws already mentioned. Facts are obvious, and that is Petitioner can't file a petition for review without his copy of the case that's being withheld by Mr. _____ with judge _____.

Authorization. Az. R. Cr. P. 1.2 was ignored and the public's safety from judge _____ vigilante conduct is now in question. See Cheulin-Carpenter Co. v. Minn., 218 U.S. 57, 30 S. Ct. 663 (1910) ("In other words, innocence cannot be asserted of an action which violate existing law, and ignorance of the law will not excuse.") Id. at 666, 68.

See also Maybury v. Madison, 5 us. 137 (1803) ("As a Ministerial officer he is compellable to do his duty, and if he refuses, is liable to indictment.") *Id* at 8, 150; ("The rule must be discharged.") *Id* at 180, 28. Judge _____ violated Petitioner rights under 18 u.s.c. § 241 and § 242.

Pursuant to 28 u.s.c. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Date

By _____

Arizona Superior Court

State of Arizona,
Respondant,

Case No. _____

v.

Motion Requesting Sanctions Against Counsel

With Brief And Declaration,

Petitioner,

The Honorable _____

Brief: Petitioner pro se in forma pauperis request sanctions be leveled against defense counsel for the deliberate violation of: Az. Constitution Art. 2 Sections 1, 2, 3, 4, 5, 7, 11, 15, 24, 35; U.S. Constitution Art. 6, 7: 14th, 5th, and 6th Amendment rights by refusing to relinquish Petitioner's case file, thus allowing his client the right to file for "Reconsideration" for a poorly researched PCR that counsel was not Authorized to file without

my knowledge, See Petitioner's filing with this Court on

applying Canon Two Rule 2.6, requesting this honorable court accept no filing from defense Counsel.

without Petitioner's signature, thus violating ER 1.0(e); ER 1.1; ER 1.2(a); ER 1.3; ER 1.4(a)(1)(2)(3)(4)(5)(b); ER 1.8(b); ER 1.16(a)(1)(b)(1)(c)(d); ER 2.1; ER 3.1; ER 3.2; ER 3.4(c); ER 7.1; ER 8.3; ER 8.4(a)(b)(c)(d)(e)(f) by counsel; also 18 U.S.C. § 241 and § 242 by conspiring with the Prosecutor to deprive Petitioner his constitutional rights mandated by *Marbury v. Madison*, 5 U.S. 137 (1803): Citing from *Westlaw* *180 **28 "Thus, the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void; and that courts, as well as other departments, are bound by that instrument."

Petitioner is claiming victims rights for conduct in deliberately impeding Petitioner's right to move forward with my entire case file.

Petitioner request this honorable court rescind counsel's illegal presentation of a PCR, claiming was filed on my behalf, when Petitioner was left out of it's production. Counsel was not present at arrest, trial, Prosecutorial misconduct, abuse of discretion, and prior counsel's lack of diligence in pursuance of viable constitutional mandates in questioning the fictitious victim,

**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.**