

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-181

Judge:

Complainant:

ORDER

September 24, 2020

The Complainant alleged that a superior court judge was biased in his handling of 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).

Commission member Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 24, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020-181

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.

_____ does not maintain confidence in the legal system. As a public trust, _____ fails to respect and honor the judicial office. _____ violates the precepts, principles of justice, and role of law for purposes of creating a system that does not provide any justice. _____ is a personal, and political interest to cause lack of integrity as it relates to apply the rule of law, this is systematic injustice.

_____ 1. _____ does not recuse himself from the rule 32 of _____ pending in the Superior Court

_____ has submitted an affidavit of truth swearing to the facts of bias used against _____ in the trial against _____ by _____ On _____ in the Superior Court of _____ County.

_____ stated "LET'S HOPE THAT THEY'RE SUPPORTERS." _____ actions and bias were intentionally done in violation of his oath to keep the precepts of CANON 2 "A Judge shall perform the duties of judicial office impartially, competently, and diligently.

_____ bias was clearly about political affiliation in violation of Rule 2.3 (B), as a judge shall not, in performance of judicial duties, by words or conduct manifest bias or prejudice, thus I can not receive a fair trial, or Rule 32 Evidentiary hearing because of the bias clearly spoken by _____ in violation of Canon 4, Rule 4.1 (A)(9) make any statement that would reasonably be expected to affect the outcome.

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COMPLAINT AGAINST A JUDGE *continued*

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.

has not yet order an Evidentiary Hearing on the behalf of in Rule 32 No has presented new evidence that displays innocence and also the sworn statements of Bias the main witness experience by decision to not schedule an Evidentiary Hearing proves he attempts to keep the new evidence from appearing on the record, in violation of rights to be heard and to have issues resolved without unnecessary cost or delay. practices are dilatory, in violation of Article 2 § 11 of the Arizona Constitution requiring that "Justice in all cases shall be administered openly and without unnecessary delay." Article 6, Section 21 provides within "Every matter submitted to a judge of the superior court for his decision shall be decided within days from the submission thereof. The Supreme Court shall by rule provide for the speedy disposition of all matters not decided with such period." Rule 91(e) Rules of the Supreme Court; A.R.S. § 12-128.01, In addition A.R.S § 11-424 (A) prohibits a justice of peace from receiving compensation if a cause "remains pending and undetermined for days after it has been submitted for decision. submitted in of The Judges actions violates substantive due process under Rule 2.16 Ensuring the Right to be heard.