

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-193

Judge:

Complainant:

ORDER

October 1, 2020

The Complainant alleged a superior court judge failed to properly certify a judgment of guilt.

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 members Louis Frank Dominguez and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 1, 2020.

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

RE: County Superior Court Case No.:
Complaint for felony action in violation of Arizona law ARS. 39-161.

STATE OF ARIZONA^{ss}

COUNTY OF NAVAJO

Affidavit and Complaint

I declare that the following facts,
are within my personal knowledge and, are true to the best
of my knowledge, information and belief.

On Judge
committed a felony law violation to secure the
conviction in this case. He acted in violation of
A.R.S. 39-161 by acknowledging his earlier
sentence in this case. In that instance he violated
A.R.S. 39-161 by filing the Order of Confinement
in this case, because he never obtained the

Defendant's fingerprint or ordered a fingerprint biometric-based identifier to place in the court's case file pursuant to A.R.S. 13-607.B. Then that order was certified pursuant to A.R.S. 13-607.C.8, so that the state department of corrections would take custody of the Defendant in compliance with A.R.S. 13-701.B.

This is, a clear violation of Arizona law, conduct unbecoming of a Judge, but goes even further and abuses his discretion by refusing to exercise his discretion and rule on this matter. See *State v. Vega*, 228 Ariz. 24, 2696, 262 P.3d 628, 630 (App. 2011)

should face expulsion from his position as a Judge for his blatant violation of Arizona Rules of Supreme Court 81, et seq.

Further Affiant sayeth not.

Dated this _____ of _____

By _____

VERIFICATION

Signed and sworn to before me by _____
on this _____ of _____

Notary Public

My Commission Expires _____

2012