

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-303

Judge:

Complainant:

ORDER

January 13, 2021

The Complainant alleged a superior court commissioner made an erroneous ruling and violated his constitutional rights.

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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 13, 2021.

Comp
2020-303

(PRO SE PRISONER PETITIONER / DEFENDANT)

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF _____

IN THE MATTER OF :

CASE NO. _____

MOTION OF OBJECTION TO

MINUTE ENTRY AND ORDER

DATED _____

DUE

TO ABUSE OF DISCRETION AND

DUE PROCESS VIOLATIONS

Comm: _____

Comes now THE ROSE PRISONER PETITIONER /

DEFENDANT,

(HEREIN

AFTER " _____ ") D.O.B.

TO

Respectfully "Object" to this court's

minute entry and order due to constitutional

violations and abuse of discretion.

Respectfully submitted this _____

day of _____

By Pro se Prisoner Petitioner

DEFENDANT

MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTS AND BACKGROUND

HAS FILED THREE (3) LEGAL DOCUMENTS WITH THIS COURT, THE CLERK OF THIS COURT AND THE COUNTY ATTORNEYS OFFICE (THE STATE).

ALL THREE (3) LEGAL DOCUMENTS WERE FILED WITH "ADOC LEGAL MAIL SERVICES" AND "LEGAL MAIL LOGGED." (SEE EXHIBIT (A) ADOC LEGAL MAIL LOG.)

THE FIRST LEGAL DOCUMENT WAS A "REQUEST FOR INFORMATION ABOUT JUVENILE CASE" DATED

THE SECOND LEGAL DOCUMENT WAS A "MOTION FOR COURT ORDER TO THE OFFICE OF PUBLIC DEFENSE SERVICES (OPDS) TO APPOINT A PRIVATE INVESTIGATOR TO PRO SE INDIGENT PETITIONER" DATED

THE THIRD LEGAL DOCUMENT WAS A "PETITION FOR COURT ORDER TO TO CEASE AND REMOVE ALL USE OF JUVENILE RECORD NO. CURRENTLY BEING USED IN ADOC'S

ACIS / AIMS CLASSIFICATION SYSTEM"

DATED (WHICH WAS MAILED TO THIS COURT BEFORE THE SECOND LEGAL DOCUMENT).

IN FIRST "LEGAL DOCUMENT HE REQUESTED HIS "JUVENILE CASE FILE" AND "CASE DOCKER DISPLAY REPORT".

"HAS NOT" RECEIVED HIS "JUVENILE CASE FILE".

HAS RECEIVED A ONE PAGE DOCKER DISPLAY PAGES OUT

IN THIS COURT'S FIRST MINUTE ENTRY THE COURT TO THE COURT LIBRARY.

IN THIS COURT'S SECOND MINUTE ENTRY THIS COURT "DENIED" REQUEST FOR THE OPDS TO APPOINT AN INVESTIGATOR.

IN THIS COURT'S THIRD MINUTE ENTRY THIS COURT MADE STATEMENTS AND ASSERTIONS THAT ARE UNTRUE AND INCORRECT.

1.) THIS COURT CLAIMS "DID NOT" FILE HIS PETITION WITH THE CLERK OF THE COURT. THIS IS COMPLETELY UNTRUE.

(SEE EXHIBIT (B) ADOC LEGAL MAIL LOG AND EXHIBIT (B) AFFIDAVIT OF FACTS.)

2.) THIS COURT: PETITION FOR COURT ORDER AS A REQUEST TO DESTROY JUVENILE

COURT RECORDS.

ITION WAS "CLEAR AND UNAMBIGUOUS"
AND TO THE POINT. THIS COURT "DOES NOT" HAVE THE
AUTHORITY TO TREAT A PETITION FOR ANYTHING MORE
THAN IT IS. THE RULE OF LAW STILL GOVERNS THIS
JUVENILE COURT.

FURTHERMORE THE COUNTY ATTORNEYS
OFFICE WAS PROVIDED A COPY OF ALL THREE LEGAL
DOCUMENTS AND "DID NOT" OBJECT TO ANY OF THEM
LET ALONE THE PETITION FOR COURT ORDER.

THE COUNTY ATTORNEYS OFFICE WAS
GIVEN (90 DAYS) TO RESPOND, THE STATE DID NOT
OBJECT OR RESPOND.

II. LAW AND ARGUMENT.

"THE COURTS RECORD MUST REMAIN INVIOURATE."

PER A.R.S. § 8-349(B), § 8-349(D), § 8-348
AND § 13-912.01, A PERSON MAY FILE AN
"APPLICATION" WITH A AFFIDAVIT TO THE COURTS AND
MUST CERTIFY UNDER OATH TO CERTAIN FACTS OF THE
CASE.

"HAS NOT" FILED AN APPLICATION AND
THIS COURT IS WELL AWARE OF THIS. THIS COURT
ALSO UNDERSTANDS THAT CANNOT FILE

ANY APPLICATIONS "WITH-OUT" THE "COMPLETE JUVENILE FILE" / RECORD.

PETITION = "A FORMAL WRITTEN REQUEST PRESENTED TO A COURT OR OTHER OFFICIAL BODY."
(SEE / BLACKS LAW DICTIONARY 10TH EDITION).

HAS A FEDERAL AND STATE CONSTITUTIONAL RIGHT TO PETITION THIS COURT FOR THE UNLAWFUL USE AND PUBLICATION OF JUVENILE RECORD.
THE IS IN VIOLATION
OF ① A.R.S. 13-4425, ② ARIZ. PLAN FOR SECURITY AND PRIVACY OF CRIMINAL HISTORY RECORD INFORMATION, ③ U.S. DEPT. OF JUSTICE REGULATION 28CFR20, AND ④ RULE 123 OF THE ARIZ. SUPREME COURT.

HAS "NEVER GIVEN" ① THE SUPERIOR COURT OF ARIZONA ② THE JUVENILE OR ADULT PROBATION DEPT. OR THE ARIZ. DEPT. OF CORRECTIONS PERMISSION OR AUTHORITY TO PUBLISH HIS JUVENILE RECORD.

THIS COURT "TWICE" NOTED IN ITS MINUTE ENTRY "INCORRECTLY" THAT PETITION "HAD NOT BEEN FILED WITH THE COURT CLERK OF THE SUPERIOR COURT. THIS ASSERTION BY THIS COURT IS A VIOLATION OF ① COMM CASH OF

**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.**