

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-344

Judge:

Complainant:

ORDER

March 4, 2021

The Complainant alleged a pro tem appellate court judge made improper rulings, failed to timely rule on his petition for review, had a conflict of interest, engaged in ex parte communication, and engaged in an abuse of power. The Complainant also requested a copy of the judge's response and requested specific findings by the Commission.

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). Also, the Complainant's request for the judge's response and request for specific findings by the Commission is denied.

Commission members Michael J. Brown, Christopher P. Staring and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 4, 2021.

FILE NUMBER

COMMISSION ON JUDICIAL CONDUCT Comp

2020-344

1501 W. WASHINGTON STREET

SUITE 229[#]

PHOENIX ARIZONA

85007

COMPLAINT AGAINST A STATE JUDGE

PRO-TEM JUDGE
COURT IV

1501 WEST WASHINGTON STREET

PHOENIX ARIZONA

85007

INVOLVING CASES:

STATE OF ARIZONA

County
COURT

FILED BY:

MIR

ATTORNEY OF RECORD

ARIZONA STATE

ORIGINAL JUDGE:

COMMISSIONER

POST-CONVICTION-RELIEF-JUDGE:

COMMISSIONER

PETITION FOR REVIEW JUDGE:

PRO-TEM JUDGE

CASE BEFORE THIS JUDGE'S _____

COURT OF STATE OF ARIZONA ()

THIS CASE IS NOW PENDING NOW IN ()

AS CASE NUMBERS _____

ARIZONA

(Complaint)

I UNDERSTAND THE COMMISSION CANNOT REVERSE
COURT ORDERS, OR ASSIGN A NEW JUDGE TO A CASE.

" I DECLARE, UNDER PENALTY OF PERJURY, THAT THE
FOREGOING INFORMATION AND THE FACTS I HAVE
PROVIDED UPON WHICH MY ALLEGATIONS OF
JUDICIAL - MISCONDUCT ARE BASED ARE "TRUE AND
CORRECT" TO THE BEST OF MY "KNOWLEDGE" AND
'BELIEF.'

BY:

ATTORNEY OF RECORD

RESPECTFULLY SUBMITTED THIS _____ DAY OF _____
IN THE YEAR OF OUR LORD _____

(Complaint)

COMPLAINT

_____, PRO TEM JUDGE
 WAS PROVIDED A
PETITION FOR REVIEW IN CASE _____
 _____, WHICH REMAINED IN
 HIS COURT UNTIL _____, WHERE THE
 CASE WAS THEN TRANSFERRED FOR AN FURTHER
 PROCEEDING TO (_____), NOW CASE #
 _____ IN (_____)

_____ A MOTION TO "COMPEL" THE STATE OF
 ARIZONA TO PRODUCE _____ VINED
 FOOTAGE " _____ DENIED"

_____ - MOTIONS "IN RE" & FILING OF
 ADDITIONAL EXHIBITS; MOTION TO INCLUDE
 BODY CAM FOOTAGE AND TRAINING MATRIX CD, REQUEST FOR
 PRODUCTION OF VINED FROM CIRCLE K CORPORATION LOCATED AT
 _____ ON _____ FROM _____ AM TO
 _____ AM... PARKING LOT VINED _____ Corporation
 WAS "DENIED" THE SAME ON _____ WAS
 ALSO "DENIED"

(Complaint)

1
2 Violation Regarding DENIAL OF RIGHTS
3 UNDER COLOR OF LAW = (DENIED) (DENIAL OF
4 MEANINGFUL ACCESS TO THE COURTS BY
5 STATE PARALEGAL UNDER
6 COLOR OF LAW = (DENIED")

8 Violation Regarding DENIAL OF RIGHTS
9 UNDER COLOR OF LAW = (DENIED")

11 "- Ruling" REQUIRED MOTION REGARDING
12 PETITION FOR REVIEW) = DENIED, AT THIS TIME
13 THE PETITION FOR REVIEW WAS PENDING SINCE
14 "- SM NO Ruling" = SEE
15 COURT ORDER (DENIED)...

17 "Ruling REQUIRED" MOTION REGARDING
18 PETITION FOR REVIEW (DENIED)...

20 "- Police - Misconduct Complaint
21 "DENIED" → THE COURT CANNOT DENY A POLICE
22 MISCONDUCT COMPLAINT THAT HAS NOT BEEN REVIEWED
23 BY "PROFESSIONAL STANDARDS" OF
24 NOR CAN A RULING BE COMPLETED ON A FILING
25 FOR THE RECORDS... IT SIMPLY DID NOT REQUIRE
26 A - RULING...
27
28

**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.**