

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-192

Judge:

Complainant:

ORDER

January 19, 2022

The Complainant alleged that a superior court judge had poor judicial demeanor and denied his right to be heard.

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 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 Christopher W. Ames, Barbara Brown, and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 19, 2022.

Staff

Arizona Commission on Judicial Conduct
1501 W. Washington St., Ste. 229
Phoenix, AZ 85007

RE: Complaint against County Court Judge,
for Conduct prejudicial to the receiving of a
fair trial.

Dear Staff:

This correspondence and/or inquiry is in relation to request
that this submission be taken and recognized as a formal com-
plaint against County Court Judge,

On defendant was arraigned. In
of private attorney was appointed by
the court as new counsel due to the office
withdrawal for conflict of interest having represented a co-de-
fendant.

representation was lacking and deplorable and
led to defendant submitting a complaint with the Arizona

At the first meeting with at court in
of he was informed that a complaint had been filed and
that defendant desired to file a motion to Dismiss pursuant

to Rules of the Arizona Rules and violation of Rule 8
timeline right to a speedy trial.

On around [redacted] was appoint-
ed who is another private attorney. [redacted] was then informed by
defendant of all specific misconducts and defendant
directed to file a oral motion to Dismiss based on the
specifics of actions. Upon this request stated;

" Judge
had directed the motion and States response be put in writing.
Defendant then requested to be present at the dismissal hearing
and that a letter outlining the adamant desire for a ~~the~~
speedy trial that had upon appointment be includ-
ed in the motion as a exhibit. (had waived numerous
hearings) agreed that he would. then proceeded
to file a Motion to Dismiss that was set to fail basically declar-
ing and stipulating to excluded in the calcu-
lations that defendant clearly saw as included. did
not include the letter either, did not have defendant appear
and did not relate any of the aspects against that
defendant filed in his complaint.

The State went back to the grand jury after
arraignment and after the original indictment and
obtained another charge of "on a
officer that was not. There is absolutely
no evidence to support it either and it was very suspect
because it came about after defendant questioned the
timeline along with the state then attempting to use the new
indictment to say the time line re-started.

Defendant then filed a complaint against _____ and
the State Prosecutor, _____ (now _____). At the
next hearing on a record _____ and _____
pointed defendant as a "_____". The
state accused defendant of "_____".
Both _____ (who withdrew that day) and
_____ let _____ know about the complaints.
Claim besides the complaint was "_____".

This is where defendant's complaint against Judge
begins. After the withdrawal of _____ exercise having claim-
ed "_____ and the complaint along
with _____ damaging and false allegation the defendant
humbly, respectfully, and politely attempted to speak to Judge
who refused to allow it. After several desperate but
polite pleadings _____ stated very aggressively; "
"and made this threat that; "
"This occurred at only the
appearance by the defendant who had shown no ill
conduct to justify such hostility by _____ and her denial
to allow retort in defense. (_____ had included remarks
in her response to the dismissal about "

"). Review the _____ of _____ remand and defendant's
claim of innocence, and wrongful conviction on the doorstep
of being proven not known by the court.

Presently as of _____ Judge
the _____ Judge of the Arizona _____ Court and for
page 3 of

the Arizona have sanctioned to of
management classes, and had to pay a
\$ fee for expenses incurred. agreed and con-
sented to violating and
They additionally found that

"and that"

"In the

DECISION ACCEPTING DISCIPLINE BY CONSENT filed on
it states;

upon further inquiry by defendant, Staff Counsel, Mr.
that defendant request a list of attor-
neys who typically represent legal suits

Defendants position was thus strengthened by such failings
and the fact Judge provided counsel on
without disclosure is seen by defendant as prejudicial to
the revival of a fair trial by competent counsel thus violating
the sixth amendment.

The fact that should have been aware of this
; further shows neglect by not probing further
into the matter of defendants claims. Then showed con-
warranted disdain to allow defendant a iota of voice on the
record.

Please also review dismissal motion. For to
not recognize how poorly argued and pointless that motions
facts were when filed is questionable. It made no sense for
it to ever have been filed because it posed no potential to

be granted. Then allowed the motion to be argued and ruled upon without defendant's presence which is equally as unjust.

Defendant on his own accord has filed motions, for withdrawal of counsel, and one for withdrawal of prosecution for that late indictment. On around defendant may be sending the Coert a motion for change of Judge on Cause. This will be regarding #1) the appointment of counsel on without disclosure, #2) chilling defendant's right to speak and defend himself, #3) Ignoring facts and circumstances prejudicial to defendant, #4) the unjust denial of the reconsideration to dismiss that had most facts that the higher Judge recognized, and #5) irreparable conflict of interest due to the filing of this complaint. should have never allowed the late indictment and how it was attempted to be used, and should have questioned to verify.

Please review all the motions etc. discussed and/or truly investigate what has and continues to transpire in defendant's case at the County Coert in Arizona.

Thank you for any assistance you may provide.

Sincerely,