

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-250

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Judge:

Complainant:

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**ORDER**

January 12, 2022

The Complainant alleged that a superior court judge violated the law and had a financial conflict of interest.

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, Joseph C. Kreamer, 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 12, 2022.

**CONFIDENTIAL**

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

FOR OFFICE USE ONLY

2021-250

**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.

( see attached )

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1. pp. 3-6 Complaint
  2. Subpoena
  3. Transcripts
  4. Notice ( )
  5. REQUEST ( )
  6. First Supplemental

Judge " a primary percipient witness to prevent the defense from calling her as a " so that the defense could not use her testimony to impeach and/or rebut the perjurious testimony suborned by the State. (See: Transcripts p.211, line 23 thru p.212, line 25).

Judge KNEW that the witness had been flown in from and escorted by police and served the Subpoena the day before her testimony. (see: Subpoena).

Judge KNEW that defense's strategy included recalling the State's witness as a " during the defense case in (see: IS.2 @ p.2, line 3; IS.1 @ p.2, lines 1-4 & p.6, line 8; First Supplemental @ p.1, lines 19-27).

Prosecutor did in fact suppress the Subpoena until after trial - but only from the defense & the Court record (see: Subpoena - Clerk's date stamp); but this attempt at plausible deniability does not diminish Judge prejudicial abuse of discretion - especially since he KNEW when excusing the witness that Prosecutor was having her immediately escorted by the police to the so that the defense could not recall her (see: Trans. Ibid).

This abuse was not discovered until the State inadvertently left a copy of the Subpoena in with other records.

NOTE: Post-conviction the State offered Defendant a Plea Agreement for if he waived his right to file a - an extremely rare occurrence after verdict - which caused others to become curious enough to review the record and discover why.

As with most " "involving a plurality of government agents, the cover-up can be more dangerous to our Republic than the crime; such is true in this case.

The crimes of depriving Defendant of Due Process, Confrontation, Compulsory Process, etc. are no doubt egregious; but the crimes committed in furtherance of concealing the " " & original crimes jeopardizes the whole of the judiciary's reputation, i.e.: i) withholding the Subpoena until after trial; ii) offering a Plea to prevent the Court of Appeals from discovering the abuse of discretion & prosecutorial misconduct; and iii) violating procedures & ethics to convict an obviously innocent Defendant and protect police officers' perjurious " "

Judge " & Prosecutor " KNEW that the witness's testimony would evince to the jurors that the State's case was nothing more than a contrivance of perjurious statements by & coerced/intimidated witnesses, suborned by Prosecutor

Judge " infamous reputation as a " " is well earned, and dreaded by all honest attorneys; but this time Judge " was caught, and as such should be sanctioned to the fullest extent of the law to protect the integrity of the justice system and the reputation of the whole of the judiciary.

A cursory review of " " has shown that Judge has a conflict of interest in this matter as he owns shares of " — the that Defendant is incarcerated at, and as such, Judge is receiving pecuniary gain for Defendant is unlawfully imprisoned.

This is a direct violation of law as determined by the United States Supreme Court in:

Lacaze v. Louisiana, 138 U.S. 609 (2017);

Rippo v. Baker, 137 U.S. 905 (2017);

Ward v. Village of Monroeville, 409 U.S. 57 (1972); and

Tunney v. Ohio, 273 U.S. 509 (1927) — all of which mandate vacatur, reversal, & dismissal

Judge KNEW that he would receive the relevant if and only if, he ensured that Defendant was convicted and sentenced to prison. (See: U.S. v. Ciaravella, Jr., 716 F.3d 705 (3<sup>rd</sup> Cir. 2013)).

Which is sine to his reason for committing the & willful judicial misconduct described above.

In Ciaravella, Jr., id., the judge was sentenced to in prison for his crime(s) of imprisoning innocent people to receive with his immunity being vitiated under the " " Defendant, being as innocent as victims, Judge should receive a similar sanction.

This Commission should proceed expeditiously against Judge and enjoin him from any and all criminal trials until final resolution of this matter.

Should Judge perjuroniously avow that he has no interest in this and/or other trials, and/or that he was unaware of the facts as stated herein, this Commission should order a thorough investigation of the whole of Judge and the relevant trial.

Should Judge admit to the facts and confess to the crimes and the relevant

; this Commission should proceed against Judge and Prosecutor with formal charges, and move for review of all cases involving either and/or both.

I, reserve all rights, inclusive of the right to amend and/or supplement this Complaint, with statements and/or additional evidence.

The evidence relevant to Judge ownership of shares of stock will be provided if, and only if, Judge denies under penalty of perjury of such ownership.

**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.**