

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-264

Judge:

Complainant:

ORDER

February 16, 2022

The Complainant alleged that a justice of the peace violated Rules 1.1, 1.2, 1.3, and 2.2 of the Code of Judicial Conduct.

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 member Christopher W. Ames did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 16, 2022.

personal information is being distributed to _____, as a part of the Data Breach that happened in _____ County in _____ without notice to Arizona citizens.

5. Misconduct in or out of office involving a criminal conviction.
6. Disabilities that seriously interfere with the judge's performance of judicial duties.
7. Willful and persistent failure to perform duties.
8. Conduct that brings the judicial office into disrepute.
9. Violation of the Code of Judicial Conduct.

ARGUMENT

10. Defendant files this motion, as a matter of law and a matter of right under the Arizona Constitution to petition government for redress of grievances and wrongs. I have requested legal assistance from this court, by way of a court-appointed attorney, and this request was denied, without probable cause, reasonable justification, or constitutional authority. In addition, this case is to be immediately transferred and changed to another venue and the place of trial, must also be immediately changed for good cause, because I have already informed this court of my intent to counterclaim (cross-claim), prior to any evidence and disclosures submitted by the _____.
11. It is known and felt that I cannot get justice in this court, and this court has already shown that the court has enjoined with the others, to further the acts of conspiracy to intentionally and willfully interfere with my rights secured by the Fourteenth Amendment, and federal laws. As such, this court's interest in this proceeding is prejudicial to the outcome of justice, and the administration of justice, because this court has denied and deprived me of fair and adequate due process, beyond this courts constitutional authority, in the decision to deny me access to a court-appointed attorney, while knowing that I am indigent, poor, insolvent, and that I am in need of one.
12. It is believed that the _____, the _____, and Officer _____ have joined with each other, to willfully, maliciously and egregiously file the fraudulent criminal cause of action against my person. My rights of protection and guarantees, as a citizen of the United States, provides that I am entitled to a speedy public jury trial to determine the facts of the litigation.
13. In the best interests of justice and in the name of the United States Union of Sovereignty, I seek equitable justice in a competent court of record and jurisdiction, to achieve equitable and retributive justice against the _____ County Attorney, _____ for violating her duty of loyalty and allegiance to the United States, for failing to faithfully perform duties of office, and for failure to Support the Constitution, the State of Arizona Constitution, and to protect and defend my fundamental rights, secured by the Constitution and the State of Arizona Constitution.
14. It is my intent to defend my fundamental rights of liberty and to attain equitable justice, as a victim of crimes against public justice and crimes against the person and property. I drafted this motion

in good faith, to serve as a means of arriving at fair and just settlements of controversies. This motion and pleadings do not raise barriers between, which prevent the achievement of that end.

15. This motion is filed, beyond the page requirement of the court rule. However, because this court has deprived and denied me access to a court-appointed attorney, I am forced to defend my rights protected by federal law and the Constitution, to the best of my ability. In this case, this motion is filed to defend my fundamental liberty and constitutional rights, prior to the government arbitrarily interfering with said rights.

16. In this process of this litigation, this court has violated my 1) constitutional rights to a court-appointed attorney, without providing due diligence, and without measuring my financial ability to afford a private attorney, by making an unsworn statement and declaration that “

”; violated my right to a speedy public jury trial, while the Rules of Criminal Procedure, Rule 6.1(b), provides that for cases that may result in punishment involving a loss of liberty, the Defendant has the Right to a Court-Appointed Attorney, and the court violated this right on , by denying my Motion and Order for a court-appointed attorney. This conduct constitutes a failure to comply with state, federal and constitutional law, and a violation of ethical employee standards of performance, established by the State of Arizona Personnel System.

(b) Right to a Court-Appointed Attorney.

(1) *As of Right.* An indigent defendant is entitled to a court-appointed attorney:

(A) in any criminal proceeding that may result in punishment involving a loss of liberty; or

(B) for the limited purpose of determining release conditions at or following the initial appearance, if the defendant is detained after a misdemeanor charge is filed.

(2) *Discretionary.* In any other criminal proceeding, the court may appoint an attorney for an indigent defendant if required by the interests of justice.

(3) *Definition of “Indigent.”* For the purposes of this rule, “indigent” means a person who is not financially able to retain counsel.

17. and this court is barred by the from attempting to Dismiss this Motion for any court rules technicality. As the in the filing of this case against me, and they are trying to convict me through acts of blood of corruption. The has not established that they met the burden of proof to establish personal jurisdiction over me, as a non-resident of the , and they have not proven that I meet the “ ” contact criteria, to give this court personal jurisdiction and power to entertain the cause of action brought against me.

As a pro se litigant, this court can not uphold me to the same technical standards of drafting, that is imposed upon attorneys. *Elmore v. McCammon* (1986) 640 F. Supp. 905 "... *the right to file a lawsuit pro se is one of the most important rights under the constitution and laws.*" *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1959); *Picking v. Pennsylvania R. Co.*, 151 Fed 2nd 240; *Pucket v. Cox*, 456 2nd 233 *Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings*

are not to be held to the same high standards of perfection as lawyers. *Maty v. Grasselli*
Chemical Co., 303 U.S. 197 (1938)

"Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment." *Puckett v. Cox*, 456 F. 2d

233 (1972) (6th Cir. USCA)

It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in *Conley v. Gibson* (see case listed above, Pro Se Rights Section).

Picking v. Pennsylvania Railway, 151 F.2d 240, Third Circuit Court of Appeals
The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities."

GROUND FOR CHANGE OF JUDGE AND TRANSFER OF PLACE OF TRIAL

18. On or around _____, I submitted a motion upon the clerk of court to Change Venue, and this motion was verbally denied by this court, in violation of my equal protection and due process at law rights of entitlement provided by federal and Constitutional protection. This act of performance to deprive me of my right to change venue as requested, constitutes a violation of oath and bond of office to faithfully discharge duties of office, and in violation of the duty of loyalty and allegiance, to support the Constitution and Arizona Constitution.
19. In my pleadings of Affirmative Answers | Affirmative Defenses, I expressed to this court that I would not be able to obtain a fair and impartial trial in the _____ Justice Court, and I requested for the case to be transferred and changed to another venue. In this case, the denial of my Motion to Change Venue by this court, constituted a denial and deprivation of my lawful right and opportunity to be heard by a court of competent jurisdiction and to provide evidence of constitutional violations, while also depriving and denying me of procedural and substantive due process and the equal protection at law.
20. On or around _____, I appeared on telephone record for a frivolous and fraudulent arraignment (I was never arrested in _____, and I have not caused harm or injury to an individual), and I verbally requested a hearing from the court on the merits of my Motion to Change Venue. In addition, I clearly expressed to this court that I do not understand the charges brought forth against me, because I was never arrested in _____.

21. At the time of request, this court verbally denied my motion, without reason and without probable cause, depriving me of my right to be heard by a court of competent jurisdiction, and depriving me of my opportunity to the equal protection and procedural and substantive due process at law.
22. At the time of filing the motion, I informed this court of my clear intent to transfer the case, my clear intent to want to initiate a counterclaim (cross-claim) against the _____, and Officer _____ for violating my federally protected rights, privileges, and immunities, as a black citizen of the United States, and these rights were clearly ignored, disrespected, and disregarded by this court.
23. I appeared in court on or around _____ and I received unfair treatment and harassment from the court, due to the court refusing to let me use the restroom, after being notified that I needed to use the restroom, causing me to have so much stress and fear, that I used it on myself, in the courtroom. This treatment was unfair and differential, because the court allowed my witness to use the restroom, but not me.
24. I was harassed by this court, after the court had been informed that I had been in the presence of positive COVID-19 patients, but the court was still trying to continue with court, without me having appropriate representation. In addition, I was harassed and insulted by this court, by the court asking my witness “ _____.” This statement constitutes a form of harassment and blatant disregard of medical concerns that I had, from being exposed to COVID-19 patients, which prevented me from talking, due to me have throat issues – Facts of harassment and blatant disregard to be tried by a public jury trial.
25. This court was provided in a timely fashion with my motion and desire to change venue and transfer the case to a court of competent jurisdiction to hear my constitutional rights violation, and the court still refuses to adhere to my requests and comply with my rights of entitlement, clearly established under Arizona’s Constitution and the Fourteenth Amendment.
26. Based off the fact that this court has already been biased in this litigation proceeding, providing to me, partial administration of justice, dealing with me unfairly, and by using invidious discrimination against the rights provided to me at law, and the fact that this court refuses to comply with law and Arizona’s Criminal Rules of Procedure, I cannot continue with this proceeding in this court.
27. Therefore, this court must not proceed with this criminal proceeding, pursuant to Rule 10.1(b)(1)(2) and 10.3, because I am lawfully entitled to a change of judge, and I have shown you that your prejudicial ruling over this case would prevent me from having a fair and impartial trial.

Rule 10.1. Change of Judge for Cause

**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.**