

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-287

Judge:

Complainant:

ORDER

February 24, 2022

The Complainant alleged that a superior court judge violated Rules 1.1, 1.2, 1.3, 2.2, 2.3, 2.4, 2.6, 2.12, and 2.15 by ignoring and not acting upon calls he made directly to the judicial officer's chambers.

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 member Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 24, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

21-287

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.

From:
To: [Commission on Judicial Conduct](#)
Subject: COMPLAINT AGAINST A JUDGE
Date:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The complaint form is attached with this email.

My name is _____ and I am innocent till proven guilty. I should not have to have an advanced law degree to avoid being taken advantage of by The State and all it's public pretenders that took an oath to protect my rights. I am going to be making serious allegations against _____, the judge for The _____.

. I am going to be making a lot of allegations.

violated

38-443. Nonfeasance in public office; classification.

A public officer or person holding a position of public trust or employment who knowingly omits to perform any duty the performance of which is required of him by law is guilty of a class 2 misdemeanor unless special provision has been made for punishment of such omission. And, A.R.S 38-231. Officers and employees required to take loyalty oath, (E.) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of ___(name of office) ___ according to the best of my ability, so help me God (or so I do affirm). the law says that she has to force others to go down with her but I don't know if I can charge her with a felony when they go willingly they are all willingly overthrowing the office so I did not put the charge on there but I will be studying more about it.

By her "knowing" and "willing" ignoring I will be proving 13-201. Requirements for criminal liability. Also, I can prove "Actus Reus" or "Mens reus" for ignoring all my complaints and Civil Rights violations and for allowing her secretary to violate Chapter 3. Judicial Officers and Employees

Section 1-303 Code of Conduct. On _____ to _____, I was hung up on and ignored by the secretary and the judge who have been denying my rights to "Due Process" to speak to the Judge. I was not treated according to 13-115. Presumption of innocence and benefit of doubt; degrees of guilt.

A. A defendant in a criminal action is presumed to be innocent until the contrary is proved, and in case of a reasonable doubt whether his guilt is satisfactorily shown, he is entitled to be acquitted.

Also, my right in the Rules of Criminal Procedures. III. Rights of Parties. Rule 7.2. Right to Release.

(a) Before Conviction; Bailable Offenses.

(1) Presumption of Innocence. A defendant charged with a crime but not yet convicted is presumed to be innocent.

(2) Right to Release. Except as these rules otherwise provide, any defendant charged with an offense bailable as a matter of right must be released pending and during trial on the defendant's own recognizance with only the mandatory conditions of release required under Rule 7.3(a).

I was treated guilty because I have an arrest warrant and was denied to speak with the judge. The Arizona Constitution, Article 2 Section 15 - Cruel and unusual punishment and The Bill of Rights, The Eighth Amendment to the United States Constitution States; nor cruel and unusual punishment inflicted.

According to the Rules of Criminal Procedure. II. Preliminary Proceedings. Rule 3. Arrest Warrant or Summons upon Commencement of Criminal Proceedings

(d) Pre-Disposition Warrant. After the initial appearance and before the disposition of a case, the court may issue a warrant to secure a defendant's appearance if the defendant fails to appear after receiving proper notice.

So the ONLY PURPOSE of a warrant is ONLY TO SECURE A DEFENDANT'S APPEARANCE and NOT to punish me or take away any of my rights. I have been for more than a year trying to present myself or appear in court under Rule 1.5. Interactive Audiovisual System.

(a) Generally. If the APPEARANCE of a defendant or counsel is required in any court, the appearance may be made by using an interactive audiovisual system that complies with the provisions of this rule. Any interactive audiovisual system must meet or exceed minimum operational guidelines adopted by the Administrative Office of the Courts.

I am trying to stipulate to APPEAR on phone as it is done now because of the Corona virus or rule 1.5 audiovisual, Administrative Office of the Courts, Section 5-208 Oper. Standards for Interactive Audiovisual Proceedings in Criminal Cases. Subsection D. Appearance from a location other than Custodial Facility within the state of Arizona.

Because I don't have counsel and for being ignored, I feel that they can ignore me if I tried to call on the phone like they are doing now because of coronavirus on my court on . She is was going to deny both options and file a warrant.

I left over messages to voicemail at from to . In those I made a lot of serious allegations and tried to make a complaint or get help with my problems. In that time I never had any effective counsel and after public and legal pretenders withdrew because of conflict of interest because of very little limited communication and fidelity. So in less than to much conflict and nothing was done to progress the case. The legal and public defender office lawyers ONLY work and no weekends and outside counsel works the hours needed tho properly defend the client. Also, you can only leave voicemail during that time. These court lawyers are in court a minimum of , almost all day and when not in court then in jail visits with only days or less a week. he is to busy and when he has time he will call when I'm not available. Not anyone of the pretenders knows anything about the case. I know that if more than 75% of his time is in the courtroom or the court house, that proves that his fidelity is to the court and not the client who is guaranteed loyalty by the Rule 42 of Professional Conduct. I had lawyers in just this case, out of the pretender, public and legal defender from the courts offices and now it's been who have withdrawn due to conflict of interest or there is still

conflict. I still do not have an attorney to listen or defend me. Out of over she has only quashed the arrest warrant and after having prior knowledge on the messages on of conflicts with the Court appointed legal and public defender office, I was still appointed more. I also left in her voicemail allegations of Brady violations, police misconduct, court rule violations and most importantly Civil Rights violations with Federal Court rulings. According to Rule 81, Code of Jud.Conduct, Terminology. ``Law'' encompasses court rules as well as ordinances, regulations, statutes, constitutional provisions, and decisional law.

I learned that the State, who is paid to obey and protect the law, cannot break the law and be the OPPRESSORS and when caught, can not be my SAVIORS. I also learned from the Arizona Department of Corrections that justifying or justification is a THINKING ERROR and I was corrected because I now understand. To justify unprofessional behavior is to find a reason to support it. So when I see that the state justifies breaking the "law" and how the secretary is treating me guilty, hanging up on me, trying to argue, denying my rights, punishing me for a warrant, threatening jail for trying to appear, and worst of all they think that the public serves them. But, the law and the tax money say they are to serve us. I am not paid by the public tax dollars to not express my anger and hide my emotions or to not exercise my protected Freedom of Speech, to curse. When being ignored for trying to defend my rights I get mad and it is natural for some people to curse. I never threatened them to any harm and I was threatened with jail for trying to "appear" and denied my rights because of a warrant. An arrest warrant is not to prove guilt or to lose my rights and as defined by rule and law it is to secure an appearance that the state has denied me for over a year. I can not call a judge who does not Honor her A.R.S 38-231; loyalty oath, "honorable". I cannot respect anyone who doesn't respect me. By law, I am innocent till proven guilty and I demanded to be treated as so. I never learned to speak "legal jargon" and I am not required to try to speak like the state or required to understand. I was raised to curse and call things on how I feel and how I see them, as truthful as I can. The law and State can treat me as a criminal if I break the law so why should

**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.**