

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-345

Judge:

Complainant:

ORDER

April 7, 2022

The Complainant alleged that a superior court judge incorrectly accepted his guilty plea while he was under the influence of a prescribed medication.

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

Copies of this order were distributed to all appropriate persons on April 7, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-345

COMPLAINT AGAINST A JUDGE

Your name: _____

Judge's name: _____

Date: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

See Attached Statement

(Attach additional sheets as needed)

On _____ in the year _____
Judge _____, The honorable _____ County
, allowed the defendant
to sign the
aforementioned plea agreement; while
under the influence of prescribed,
medication.

The honorable judge
was not only made aware of the fact
that the defendant's medication was required
to maintain the status of his mental
health, but _____ was also informed
that said medication was being used
for both chronic, constant, and uncurable
pain. The defendant suffers from several
work related injuries; a culmination of
which prevent him from both sitting and
standing, for prolonged periods of time.

It is well within the responsibilities of
any judge to understand the limitations
that prescribed _____ medications
can have on an individual; especially in
relation to said individual's cognitive functions.
It is in and of this fact alone, that
the honorable judge _____ is incorrect
in pretence to the aforementioned court
order, as well as his position of authority ^{see back} →

in relation to similar cases.

It is at this time that I (the defendant) would like to state that: the honorable judge _____ was also ignorant to the recommendations made by several licensed medical professionals; as well as multiple family members, in his decision to allow the Court to proceed against the defendant in his known state of medical duress. Not only did the honorable judge exhibit **blatent** disregard

for the well informed recommendations of several licensed medical professionals, but he chose to exercise nearly the fullest extent of the terms set forth in the plea agreement that was hastily prepared by attorney _____.

The honorable judge _____ was made aware of the defendant's medical history; his decision resulted in the further degradation of the defendant's physical and mental health. The defendant does in fact have a history of being physically attacked inside of his personal residence, without an issued warrant or probable cause. This particular incident occurred in _____ while the defendant was recovering from surgery → Page 3

due to an automotive accident where he was found to be not at fault.

Due to the preceled physical condition of the defendant during his recovery in
Public Safety officers

committed the illegal act of breaking and entering, physical assault, and kidnapping; which rendered the defendant permanently disabled from performing his skilled job duties. This created an annual deficit for the defendant totaling nearly

Proper restitution was never achieved, which left the defendant to suffer permanently from both torn anterior labrums, multiple spinal compressions, and Post Traumatic Stress Disorder.

A responsible judge makes decisions that catalyze a positive reaction, not exacerbate a negative one; for personal incentive or localised gain.

The defendant requests restitution against judge _____ and the _____ County _____ Court, for _____ days of wearfull incarceration, in the amount of _____

Due to the nature of the defendant's health conditions, and state in which he appeared before the court; the defendant reserves the right to an appeal, →

and is requesting to be tried before
a jury as his medical conditions
continue to improve.