

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-362

Judge:

Complainant:

ORDER

April 13, 2022

The Complainant alleged that a superior court judge allowed several procedural issues to occur at or around his initial appearance.

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 members Louis Frank Dominguez and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 13, 2022.

Formal Complaint

From:

Address:

Case No:

My name is _____ and I am reaching out to whom this may concern. I am facing inextricably intertwined issues and being punished by the courts for exercising my rights!

At my Initial Appearance or _____ the prosecutor was absent. No evidence/probable cause was presented, reviewed, sworn under oath, or read in-court for the record or established/determined for the record. The Direct Complaint filed on _____ was not presented, sworn, read for the record, or filed at the Initial Appearance, and also not filed after my Initial Appearance by any County Attorney or prosecutor. I am imprisoned without the execution of a _____ by Judge Honorable _____ holding me to answer for an offence, or a Return of Indictment/True Bill charging me. There is no Minute Entry of the Initial Appearance that occurred on _____ by Judge Honorable _____ or by any magistrate at all. I was also not given a preliminary hearing within _____ days after my arrest. Furthermore the State filed a Notice of Intent to Vacate my Preliminary Hearing without my consent or signature. The Indictment Indictment was never Returned by the Grand Jury or the Foreperson of the Grand Jury. The Indictment I was given by the

County Attorney via mail lacks signatures from the County Attorney and the Foreperson of the Grand Jury declaring the Indictment a True Bill, and the Indictment does not have a State Seal and not sworn under oath. Upon my written notice, the Court has refused/denied my right to address the court. Since this criminal prosecution commenced not once at any time has the Judge or prosecutor have taken an oath to perform their duties.

I am not asking for legal advise, this is just a formal complaint about inextricably intertwined issues and I am asking for an investigation or an intervention on the conduct of the courts and the County Attorneys Office for allowing this to happen!

Signature:

Date: