

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 21-413

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Judges:

Complainant

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**ORDER**

June 16, 2022

The Complainant alleged three judges (two superior court judges and one appellate court judge) violated his constitutional rights and engaged in invidious discrimination.

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 Colleen E. Concannon did not participate in the consideration of this matter.

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

Judicial Council of the

**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 5 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Judicial Council also adopted local misconduct rules. The rules are available in federal court clerks' offices, on individual federal courts' Web sites, and on

Your complaint (this form and the statement of facts) should be typewritten and must be legible. Under the local misconduct rules, you are required to file five copies of your misconduct complaint and exhibits, plus one copy for each additional judge if more than one subject judge is named in your complaint. Enclose your complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant:

Contact Address:

Daytime telephone:

2. Name(s) of Judge(s):

Court:

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?

Yes  No

If "yes," give the following information about each lawsuit:

Court: N/A

Case Number: N/A

Docket number of any appeal to the \_\_\_\_ Circuit: \_\_\_\_\_

Are (were) you a party or lawyer in the lawsuit?

Party  Lawyer  Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Have you filed any lawsuits against the judge?

Yes  No

If "yes," give the following information about each such lawsuit:

Court: \_\_\_\_\_ N/A

Case Number: \_\_\_\_\_

Present status of lawsuit: \_\_\_\_\_

Name, address, and telephone number of your lawyer for the lawsuit against the judge:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Court to which any appeal has been taken in the lawsuit against the judge:

\_\_\_\_\_ N/A

Docket number of the appeal: \_\_\_\_\_

Present status of the appeal: \_\_\_\_\_

5. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation. Local Rule 6.1(b) provides that your statement of facts must not be longer than five pages (five sides), or 1,200 words, whichever is less.

**You must provide objectively verifiable proof such as the names of witnesses or recorded documents or transcripts to support your allegations.** Adverse rulings do not support misconduct allegations, as the appropriate forum for an argument that a judge erred is the appellate court. Thus, you need not include copies of your filings in the underlying case or the judge's orders because even if a review of those documents is necessary, the documents are accessible via PACER. Excess or irrelevant documentation will be returned to the complainant.

6. Acknowledgment, declaration and signature:

In the space provided below, please write the following statement: "I understand that even if I successfully prove that the judge engaged in misconduct or is disabled, this procedure cannot change the outcome of the underlying case." (If this statement is not written, your complaint will not be processed and will be returned to you.)

I understand that even if I successfully prove that the judge engaged in misconduct or is disabled, this procedure cannot change the outcome of the underlying case.

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

(Signature)

\_\_\_\_\_ (Date)\_\_\_\_\_

## ATTACHMENT SHEET

3. Upon case NO.

same as Rule 3a appeals

which have all been denied without conducting investigation, or allowing Petitioner's appeal to enter Screening stage

This action from these judge's violates Petitioner's Civil and Constitutional Rights.

These judge's in particular misconduct, and by judge's

is in violation of cognizable

Following Suit, they

are in violation of invidious discrimination.

By these judge's not recognizing the prosecutor's errors, there is a clear and present showing which cannot be refuted or denied these judge's have failed to comply with the complaint process refusing without good cause shown, to cooperate in investigation.

By judge's habitually failing to recognize the error's of fact in law committed which violate complainants due process there is no doubt these judge's are incapable to discharge their judicial duties due to mental impairments, or either invidious discrimination.

By these judge's participating in this conduct they have in fact and truth overrode many State and Federal well established case laws, and this conduct is unethical, and it's proven they are unable to discharge the duties of office due to mental disabilities.

I have timely and diligently brought forth facts upon Rule 32, Writ of Coram Nobis, Writ of Habeas Corpus, and Petition for Review sent to Az. Court which judge's of low Court's have been responding to.

These judge's have no authority to decide The state's highest court's decisions, and what Petitioner - Complainant has done was Follow Rules of Criminal procedure by Sending copies to lower court in order for State not claim Petitioner has blind sided state.

These judges have taken it upon themselves to change clearly established federal law's and state law's and are in violation of depriving Petitioner of his guaranteed due process right's.

being educated in law has made many errors in both state and federal law's. he has abused his discretion by allowing the many errors to go uncorrected

Whereas, it's undisputable judge's are either not capable to conduct their judicial duties, or are in collusion to deny Complainant his guaranteed due process Rights under the 5th and 14th state and federal constitutional guaranteed right's.

By these judge's also taking it upon themselves to decide the motions Petitioner sent to Az. court they have displayed authority to delegate power to overrule the state of Az's highest court by them deciding what the outcome of Petitioner's pending appeal will be.

Making Arizona Court inferior to county

court, and Div 1, and Div 2 appellate court's

These judge's have demonstrated they are above the law, and don't care in violating higher controlling authority.

Therefore, since these judge's are covered judge's under Rule 1(b) complaint must be addressed to; 28 U.S.C. §§ 371(b); 372(a); 28 U.S.C.

§ 363. Since they are now the subjects of complaint 28 U.S.C. § 351(d)(1).

And pursuant to Judicial Conduct and Disability Act (ACT),

28 U.S.C. §§ 351-364 I accuse judge's of

engaging in conduct prejudicial to the effective and expeditious administration of the business of the courts.

By these judge's allowing this conduct by being educated in law they are also in violation of unlawful discrimination.

These judge's by habitually denying appeals by knowing many errors of law exist upon this case arises to judicial misconduct

by simply refusing to conduct investigation they are also in violation of Cognizable misconduct.

Therefore, under Rule 26 a special committee should be one who conduct review of this complaint.

Pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.