

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-038

Judge:

Complainant:

ORDER

August 24, 2022

The Complainant alleged a superior court commissioner violated a criminal defendant's right to counsel and right to a fair trial.

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 Barbara Brown did not participate in the consideration of this matter.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-038

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.

THE DETAILS OF THE COMPLAINT ARE IN THE ENCLOSED
COPY OF AN EMAIL I SENT TO A LOCAL RADIO STATION.

Also I want to add to the info in the email

— I heard from another juror that several
jurors spoke to the ~~the~~ prosecuting attorney ~~and~~
after the verdict was delivered and she said
"They had dealings with the defendant before and
knew he had mental issues"

That statement to me means they knew he was
incapable of acting as his own attorney

Sir,

Below is a copy of an email I sent to a local radio station about my AZ Court
experience.

-----To-----

(sent via email)

I called your show about a crime I knew about.

Let me start by saying I'm pretty sure it's a crime to deprive someone of a fair trial and competent counsel.

Then to pile on 'aggravating circumstances' to charges after the initial verdict had been reached and delivered.

I was a juror on the trial, it started and we delivered the verdict
the

The defendant's attorney presented NO defense, no witnesses, no theories... only, his lawyer said in closing "lots of people wear white tshirts, even a member of the jury". "The victims only saw him for a minute or two".

That was his defense..in the jury room several of us spoke how incompetent he was, he yelled at the court reporter and gave the wrong number of charges kept saying charges when there was . He spoke of the defendant being tazed times and laughed about it then apologized to us the jury for laughing. One juror said she felt when we would return from the jury room after a break that she was returning to watch a play. How right she subconsciously was.

One juror said in the break room to no one in particular "is he even with the public defender's office?"

I remembered that and did some checking today but first the "aggravating circumstances" addition.

Have you even heard of that? I haven't. After we reached and delivered the verdicts, guilty all counts the judge says "sorry but I'm going to ask you to return to the jury room and deliberate these additional "aggravating circumstance" inclusions which someone said are charge enhancements. Which to me means they're going to bury the guy during sentencing.

One of his victims, he knocked her down attempting to steal her car is a year employee of the

All the witnesses including a cop said he was raving about being on fire, and we saw and heard that by way of an officer's body cam.

In the jury room I questioned whether he was in meth psychosis. Someone said maybe he's off his meds but we had nothing to go on, there was not a single mention of drug use or mental issues by any of the attorneys.. zero.

Like I said, I checked on the defense attorney today. I called the public defender's office, they said "Don't know who it was, not our case, call the courthouse" so I did.

At I called the court and a lady answered, I said I was a juror on the trial and would like the defense attorney's name for my notes, she said "He had NO attorney, he acted as his own attorney. He did have an assistant attorney named ." This information was an absolute surprise to me, I asked the court clerk if it was all documented? she said yes. Also it was never mentioned in court the defendant was acting as his own attorney. No way he was capable or competent, I never once saw talk to his 'assistant' or even say a word.

I acted as my own attorney once for a dui trial, I was questioned by the judge for competency and had to fill out forms acknowledging I knew what I was getting into.

In my opinion his defense was purposely thrown, drug psychosis, mental break, doctors testifying, nothing was tried and his crazyness was on cam.

If the info the court clerk gave me is correct, owns his own firm and was a prosecutor for years.

Now if you don't want a court trial "loss" on your record probably being an 'assistant' would cover that. Not to mention an easy payday.

I think the judge, prosecutor and former prosecutor all conspired to bury this guy probably cause he assaulted one of their own the

These people got power

if you talk about this obscure me a little bit.

Make me a juror's husband or father.

thanks

END of Copy