

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-084

Judge:

Complainant:

ORDER

October 20, 2022

The Complainant alleged a superior court judge violated his right to a speedy trial, issued a delayed ruling, and forced him to accept a plea agreement.

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 members Colleen E. Concannon and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 20, 2022.

Attachments: [Minute entry.pdf](#)
[Motiontochangecounsel\(2\).pdf](#)
[Initial pretrial conference.pdf](#)

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Judge _____ presided over several hearings as my case wound through court. I understand that cops investigate cops, lawyers investigate lawyers and judges investigate judges so a reasonable explanation will be found for his conduct.
But I am just leaving a record.

I was offered a plea deal _____ days after being arrested in this case but I sat in jail for _____ months demanding a trial which the state, the judge and my attorney had already decided would never happen.
My lied to me, ignored my requests for records and at one point, advocated in favor of the police and made excuses for them as to why full discovery had not been made _____ months after charges were filed.

Judge _____ was not only aware of my attorney's deceptive tactics to force a guilty plea from me, he activity participated and lied to me in court, it was not a misunderstanding, he lied.
Several times.

The first lie comes in the form of a comprehensive pretrial conference, scheduled for

There is no record of it ever being held, vacated or rescheduled. It simply was ignored in order to extend my incarceration, which was being used as a coercive tool.

The second lie was a collaboration between Judge _____ and my attorney.
I begged my attorney for months to file a motion to modify release conditions base on failing health, mental illness which the state, the judge and my attorney were aware of, and because I had been _____ assaulted while in jail. Which was one of the reasons I had to take a plea.
However, _____ ignored my requests from _____ until early _____, when I spoke to one of her supervisors requesting a response from my attorney.
She then wrote a motion which lacked any mention of my situation and which would never be

granted.

Judge the took over, ensuring that even if the motion were properly writing, it would not be granted. He did this by failing to rule on it for weeks!

The third lies comes as a result of a motion to change counsel I filed.

Judge anticipated that I would raise the issue with the courts lack of response to the previous motion.

I did raise the issue and as transcripts prove, on page He stated that he was unaware of such a motion. However, minutes entries show that he had already addressed the motion, two days after I filed a second motion and three days before denying any knowledge of it.

Judge was aware of my repeated requests to my attorney for additional records, requests that she ignored for Requests that judge also dismissed and ignored, he failed to enforce the rules of discovery, which leads directly into my attorney never filing a notice of defense with the court, as she never intended to defend me.

Judge broke judicial court rules and allowed hearings, filings and the defendants right to due process, to be disregarded as inconvenient but easily overcomed obstacles in securing a conviction. The following transcripts and minute entries will prove that hearings were only written on paper but never actually held and that judge not only was aware, but that he participated in the lies. The court just allowed me to sit in jail until I gave up and took a plea.

What else could I do? Judge had decided the verdict before my plea was even given.

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The minute entry for the initial pretrial conference held on _____ was not recorded until _____ and not filed until _____, _____ days after the comprehensive pretrial conference should have been held but was not because it was never scheduled due to the "clerical error".

Why my attorney never attempted to schedule another date or why she never informed defendant about the hearing not being held is because of her use of defendants incarceration as a coercive tool to force a plea deal

The court, the state and defense counsel all collectively delayed the case as evident by lack of any trial preparation hearings held between _____ when defendant finally gave up and changed his plea.

As far as the _____ settlement conference being vacated because of "some deputy's" mistake in not bringing defendant into court, that is a lie. It was rescheduled because of _____ lack of response to a motion to modify release conditions filed _____ weeks earlier and that he only addressed _____. He too was using incarceration as a coercive tool to force a plea and by allowing me to change my plea while a motion to modify release conditions sits unanswered for _____ weeks, would have been damning evidence.

This delay in a settlement conference due to the unanswered motion is also evident by emails that _____ provided.

_____ feigned ignorance about the motion when it was mentioned during a hearing for change of counsel held _____, even though emails provided by _____ show the motion being discussed before the hearing and which clearly show that the state, the judge and Mrs. _____ All ignored the motion (along with the comprehensive preliminary hearing) to force a plea.

My attorney never filed any documents under rule 15.2 (b) and the state never requested them.

Everyone knew that I would not be allowed to get to trial, so preparing for it was never a priority.

It is clear that all parties involved were working together in order to mislead defendant while weaponizing covid and using it as an excuse to explain delays in communication (which judge did and which actually improved because of covid), delays in scheduling hearings, and as a broom to sweep away the mess you were creating.

This collaboration between the court, the state and defense counsel would also explain why judge didn't bother enforcing court rules regarding discovery and why there were no pretrial hearings for months and no attempts to schedule any. Why my attorney so blatantly refused to seek records needed to prepare for trial.

And answered motion for a continuation of trial before sent it out.

So you all,

We all know that there is absolutely nothing that I can do or say to change any of it. You people protect each other and all help to hide the truth.

COURT OF ARIZONA
COUNTY

STATE OF ARIZONA

v.

MINUTE ENTRY

The Court has received Defendant Motion to Modify Conditions of Release filed
,

IT IS ORDERED requiring a response to be filed by

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TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

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