

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-127

Judge:

Complainant:

ORDER

September 21, 2022

The Complainant alleged a superior court judge improperly dismissed his petition for post-conviction relief.

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 Christopher W. Ames & Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 21, 2022.

COMPLAINT AGAINST A JUDGE

FILE NO.
2022-127

TO THE COMMISSION ON JUDICIAL CONDUCT:

I, the undersigned complainant, believe that Judge _____ of the (check one) _____ city of _____ and county of _____, Arizona, has committed misconduct.

GENERAL ALLEGATIONS

I also allege that the judge's misconduct involves one or more of the following (check all that apply):

- ☐ A plea of guilty or no contest or a finding of guilty to a crime punishable as a felony under Arizona or federal law or of any other crime that involves moral turpitude under such law.
- ☐ A disability that seriously interferes with the performance of judicial duties that is or is likely to become permanent.
- ☒ Willful misconduct in office.
- ☒ Willful and persistent failure to perform duties.
- ☐ Habitual intemperance (addiction to alcohol or drugs).
- ☒ Conduct prejudicial to the administration of justice that brings the judicial office into disrepute.
- ☒ A violation of the Arizona Code of Judicial Conduct.

In support of these allegations, I submit the attached statement of facts and request that the commission take appropriate action to investigate the judge's conduct.

Complainant's name: _____

Telephone: _____

Street Address: _____

City: _____

State: _____

Zip Code: _____

Complainant's Signature _____

Date: _____

☒ Check here if you are involved in a lawsuit that is still pending before this judge. Case No.: _____

COMPLAINT AGAINST JUDGE.

01. Complainant filed his PETITION FOR STATUTORY SPECIAL ACTION (A.R.S. § 12-2021) as
 as a Unit of Mandamus. (Exhibit 01).

02. According to A.R.S. § 12-2021, this Unit of Mandamus is not at all discretionary and
 is not subordinate to a right of appeal - it is the right of appeal.

03. RULE 32 PROCEEDING DISMISSED by
 (Exhibit 02).

04. Judge knowingly denied Defendant's due process rights by deceit
 and an abuse of discretion with claims the Court "constructs" the PETITION FOR STATUTORY
 SPECIAL ACTION (A.R.S. § 12-2021) as a RULE 32 PROCEEDING. (Exhibit 02)

05. Pursuant to Ariz. R. Crim. P. 32.9(b)(1) - "The State must file its response no later
 than after the defendant files the petition."

06. is evidenced of denying due process by dismissing Rule
 32 without any objections by the State - the record is the proof of misconduct.

07. Complainant notifies the Arizona Commission on Judicial Conduct of Judge
 knowingly: (1) violating the Arizona Code of Judicial Conduct; (2)
 committed a criminal act of perjury that reflects adversely on the integrity of judicial
 proceedings; (3) engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation,

and; (4) engaged in conduct that is prejudicial to the administration of justice. The record
is the proof of these acts, as evidenced on (Exhibit 02)

RESPECTFULLY SUBMITTED on this

COMPLAINT AGAINST

EXHIBIT - 01

IN THE

COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF

Case No.

vs.

of the

in

and for the County of
and

Respondent,

PETITION FOR STATUTORY
SPECIAL ACTION

Attorney

(A.R.S. § 12-2021)

of the State of Arizona, in and for the County
of
Real Party in Interest

Pursuant to Rule 4(2) of the Rules of Procedure for Special Actions; A.R.S. § 12-2021;
Ariz. Const. Art. 6 §§5, 18, and; U.S. Const. Amend. XIV, Petitioners,
in propria persona, respectfully request that the decision in the above entitled cause

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**