

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 22-253

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Judge:

Complainant

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**ORDER**

April 5, 2023

The Complainant alleged a superior court judge allowed a defendant to appear in front of a criminal jury wearing a leg shackle, in violation of the complainant's rights.

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 Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 5, 2023.

2022-253

COMMISSION ON JUDICIAL CONDUCT  
1501 W. WASHINGTON STREET, SUITE 229  
PHOENIX, ARIZONA 85007

RE: JUDGE

DEAR \_\_\_\_\_:

I WOULD LIKE TO FILE A COMPLAINT  
AGAINST THE ABOVE REFERENCE JUDGE  
IN THE SUPERIOR COURT OF THE STATE  
OF ARIZONA IN AND FOR THE COUNTY OF  
UNDER CRIMINAL NO.

IN A JURY TRIAL IN HIS  
COURTROOM I HAD LEG SHACKLE IN FRONT  
OF THE JURY. IN DECK V. MISSOURI, 544  
U.S. 622 (2005), SCOTUS HELD THAT, ABSENT  
A "SPECIAL NEED," A DEFENDANT SHACKLED  
BEFORE A JURY VIOLATES THE DUE PROCESS  
OF THE U.S. CONSTITUTION. THE JURY FOUND  
ME GUILTY OF A CLASS 4 OR 5 FELONY.

I BELIEVE IF THE MOTION TO TRANS-  
PORT WAS FOLLOWED THERE IS A POSSIBILITY  
I WOULDN'T HAVE BEEN SHACKLED AS THE

2022-253

COUNTY SHERIFF DEPARTMENT HAVE  
THEIR OWN SECURITY AT THE COURTHOUSE.  
(SEE ATTACHMENTS "MOTION TO TRANSPORT"  
[REDACTED] HI LIFE SENTENCE. BUT INSTEAD  
I WAS TRANSPORTED BY C

ATTORNEY  
REPRESENT ME.

NO LONGER

I WOULD LIKE THIS CONVICTION REV-  
ERSED AND VACATED. I WOULD LIKE A NEW  
JURY TRIAL

ANY QUESTIONS PLEASE DO NOT HESIT-  
TATE TO CONTACT ME.

SINCERELY,

TEL:

By:

Attorney for

SUPERIOR COURT OF ARIZONA

COUNTY OF

Plaintiff,

vs.

Defendant(s).

No.

MOTION TO TRANSPORT

COMES NOW the County Attorney, and through his Deputy County Attorney undersigned, and moves the Court for an order to transport ID# from the to the County Courthouse, Arraignment Court, on day of at a.m., for arraignment proceedings in the above-entitled matter.

IT IS REQUESTED that upon completion of the arraignment proceedings in the above-entitled cause, and upon Defendant being excused by the Court, that the Defendant be returned to the

by the

Motion to Transport -

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DATED this      ay of

COUNTY ATTORNEY

By: \_\_

Deputy County Attorney

D.

4 DF 16



Attorney for i

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF DEPUTY

Plaintiff,

vs.

Defendant(s).

No.

ORDER TO TRANSPORT

Based on the Motion to Transport heretofore filed in the above-entitled and numbered cause, and good cause appearing therefor,

IT IS ORDERED that the transport ID#  
from the o the County Superior  
Court, Arraignment Court, on the day of at a.m., for  
arraignment proceedings in the above-entitled cause.

IT IS FURTHER ORDERED that upon completion of the arraignment proceedings and upon Defendant being excused by the Court, that he be returned to the

by the

Dated this day of

Judge/Justice of the Peace Pro Tem, Superior Court.

CONFORMED COPY FURNISHED

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**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.**