

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 22-269

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Judge:

Complainant:

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**ORDER**

April 20, 2023

The Complainant alleged a superior court commissioner improperly denied his request to withdraw from a plea agreement in a criminal case.

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 Denise K. Aguilar and Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 20, 2023.

To: Commission on Judicial Conduct

From:

CASE:

1

1. on ABOUT 1. I being  
A in commercial  
buildings. I was leaving one job to check on  
another job in I was driving on  
of AT

AT SOME POINT I PASSED OUT AND WENT OVER TWO  
LANES AND HIT THE TRUCK OF

TRUCK WENT INTO A FIELD AND HIT A TREE  
AND THAT IMPACT KILLED HIM. I CAUSED THE ACCIDENTAL  
DEATH OF I WAS TAKEN TO

in WITH LIFE THREATENING  
INJURIES. I SPENT TIME IN HOSPITAL  
AND A REHAB PROVIDED BY HOSPITAL.  
I LEARNED OF DEATH AND IT

WAS AND STILL IS TERRIFYING. AT NO TIME WAS  
I HANDCUFFED TO A BED OR A POLICEMAN PRESENT.  
I HAD A VALID T.H.C. CARD.

BLOOD CONTINENT OF 1. LING.

2. I was living in  
 later in <sup>police</sup>  
 DEPARTMENT CAME TO MY HOME AND I WAS  
 NOT AT HOME. MY DAUGHTER CALLED ME AND  
 TOLD ME ABOUT THE POLICE. MY WIFE AND I  
 WERE AT SUPERMARKET. I CALL THE POLICE  
 MYSELF IN AT in  
 'AZ.

3. PROSECUTOR lied TO THE  
 COURTS AND SAID I WAS IMPAIRED.  
 TOOK A DRUG HOSPITAL HAD  
 GIVEN ME AFTER THE ACCIDENT AND SAID I WAS  
 DRIVING ON THAT DRUG TO CAUSE AN INDICTMENT  
 FOR MY ARREST. LATER COURT APPOINTED ATTORNEY  
 EXPLAINED THAT TO ME. I TOLD HIM TO  
 TELL THE COURTS. REPLIED NOT NOW,  
 THE JUDGE DOES NOT WANT TO HEAR THAT. WE WILL  
 SAVE THE TRUTH FOR LATER. THAT WENT ON FOR  
 in AND OUT OF COURT DATES. I PUT IN  
 TO THE COURTS CHANGE OF COUNSEL FOR  
 INEFFECTIVENESS OF COUNSEL

3095

4. DUE TO THE HIGH LEVEL OF PREJUDICE  
AGAINST THE RACE IN THE JUSTICE  
SYSTEM. MY FAMILY FOUND ATTORNEY  
ON THE WEBSITE OF STARTED  
MY CASE IN -AND DID THE SAME AS  
COURT APPOINTED ATTORNEY DID.  
COURT DATES AFTER COURTS DATES.

LAW FIRM AND COURT APPOINTED  
ATTORNEY WORKED WITH THE  
PROSECUTOR TO KEEP ME IN

COUNTY JAIL. LATER IN TIME JUDGE  
JOINED IN AND WITH  
ATTORNEY AND ATTORNEY

WITH PROSECUTOR  
IN CONSPIRACY.



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5.

LATER STILL WITH ATTORNEY  
MY MOTHER

DIED. THEN

MY NIECE

DIED. ATTORNEY  
WAS NOTIFIED OF THE FAMILY'S

5.

6. IN

OF

ATTORNEY

KNEW I WAS AT MY WEAKEST.

I TOLD ME AND MY FAMILY I WOULD  
HAVE TO SIGN A PLEA OF 10.5 YEARS. I KEPT  
TELLING HIM I NEEDED TO GO TO TRIAL.

WOULD AGGRESSIVELY TELL ME NO YOU WOULD  
LOSE IN TRIAL AND DO 19 YEARS IN PRISON.

THAT WENT ON VISIT AFTER VISIT IN THE  
COUNTY JAIL. AFTER ALL THE JAIL TIME

PLUS THE DEATHS OF

IN MY

ACCIDENT AND MY MOTHER

THEN MY NIECE

. THEN

TALK OF MANIP

, I

A PLEA OF

10.5 YEARS IN PRISON O

5 of 5

7. AFTER REALIZING WHAT I HAD DONE. I PUT  
IN FOR MOTION TO CHANGE COUNSEL FROM  
IT WAS TOO LATE. THE COURTS  
GAVE ME BACK COURT APPOINTED  
JUDGE WOULD NOT  
WITHDRAW THE PLEA, EVEN AFTER ATTORNEY  
ADMITTED HE AND ATTORNEY  
WORKED WITH THE PROSECUTOR  
TO KEEP ME IN THE  
COUNTY JAIL TO GET THIS PLEA SIGNED.  
THE STATEMENT WAS RECORDED IN COURT.  
CLEARLY ACTS OF CONSPIRACY.  
SENTENCING WAS  
TOTAL JAIL TIME 682 DAYS.

CASE:

**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.**