

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-316

Judge:

Complainant:

ORDER

June 2, 2023

The Complainant alleged a superior court commissioner made an illegal ruling 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 member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 2, 2023.

2022-316

Before The Presiding Disciplinary Judge
(The Attorney Discipline Probable Cause
Committee; Chief Bar Counsel)

In the matter of Non-member
of The State Bar of Arizona

Motion R. 54(b)

Court of Arizona
County Hon.

Judicial violation

County Honorable

case number for violation

file in

County

Court on

that was

denied which violate Canon R. 1.1 Compliance with the law.

Doctrine of pending-action canon gave clear instruction
on how the court must function for pending-action canon when
statutory law is altered. And Violated 14th Amendment equal
protection of the law.

- 1) Violation of Canon 1 R.1.1 compliance with the law by not allowing
court to function properly when clear instruction on how court
must function under the doctrine of pending-action canon
which is a serious crime of interference with the administration
of justice.

Exhibit-A

COURT OF ARIZONA
COUNTY

2022-316

CLERK OF THE COURT

HONORABLE

v.

PO BOX

COMM.

MINUTE ENTRY

The Court has received and considered Defendant's Pro Per Petition to Expunge Marijuana – Related Offense Records Pursuant to A.R.S. § 36-2862 and Waiver of Fines and Fees filed Defendant's Letter, and the Response to Defendant's Petition to Expunge filed

Based upon the information provided;

IT IS ORDERED denying Defendant's Pro Per Petition to Expunge Marijuana – Related Offense Records Pursuant to A.R.S. § 36-2862 and Waiver of Fines and Fees filed.

Notice:

FOR ALL IN-PERSON APPEARANCES: Due to the spread of COVID-19, the Court Administrative Order and the County Court Administrative Order require all individuals entering a court facility in County to wear a mask or face covering at all times that they are inside the facility. Any person who refuses to wear a mask or face covering as directed by court personnel will be

Docket Code

COURT OF ARIZONA
COUNTY

Exhibit - A

CLERK OF THE COURT

HONORABLE

v.

PO BOX _____

JUDGE

MINUTE ENTRY

The Court has received the Defendant's "Request for Reconsideration and Appeal to Expunge Marijuana-Related Offense". After reviewing the legal file and the denial of Petitioner's Petition to Expunge Marijuana -related Offense Records Pursuant to ARS 36-2862 and Waiver of Fines and Fees.

IT IS ORDERED denying the Request.

Exh. 1
Exhibit-A

COUNTY ATTORNEY

Deputy County Attorney
Bar ID #:

Telephone:

Firm #:
Attorney for Plaintiff

Police Department
Police Department
Police Department
Court

IN THE COURT OF THE STATE OF ARIZONA
COUNTY OF

Plaintiff,

vs.

aka
aka

Defendant.

DIRECT COMPLAINT

**COUNT 1: SALE OR TRANSPORTATION
OF NARCOTIC DRUGS, A CLASS 2
FELONY**

**COUNT 2: SALE OR TRANSPORTATION
OF MARIJUANA, A CLASS 3 FELONY**

**COUNT 3: POSSESSION OF DRUG
PARAPHERNALIA, A CLASS 6 FELONY**

IN CUSTODY

The complainant herein personally appears and, being duly sworn, complains on
information and belief against charging that in

County, Arizona:

COUNT 1:

on or about knowingly did transport
for sale, import into this state, offer to transport for sale or import into this state, sell,
transfer, or offer to sell or transfer fentanyl, a narcotic drug, in violation of A.R.S. §§ 13-
3401, 13-3408, 13-3418, 13-701, 13-702, and 13-801.

COUNT 2:

, on or about knowingly did transport
for sale, import for sale, import into this state, or offer to transport for sale or import into
this state, sell, transfer or offer to sell or transfer an amount of marijuana having a weight
of less than two pounds, in violation of A.R.S. §§ 13-3401, 13-3405, 13-3418, 13-701, 13-
702, and 13-801.

COUNT 3:

on or about unlawfully did use or
possess with intent to use a scale and/or baggies, drug paraphernalia, to pack, repack,
store, contain, or conceal marijuana, in violation of A.R.S. §§ 13-3401, 13-3405, 13-3415,
13-3418, 13-701, 13-702, and 13-801.

**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.**