

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-329

Judge:

Complainant:

ORDER

June 8, 2023

The Complainant alleged a superior court judge allowed a forged plea agreement to be filed in a criminal case and lied in minute entries.

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

Copies of this order were distributed to all appropriate persons on June 8, 2023.

Attachments: [plea.pdf](#)

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Re: Complaint against Judge

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On [redacted], [redacted] <[redacted]> wrote:

I had previously filed a complaint against Judge [redacted]. I believe it was complaint number [redacted] or [redacted], however, after [redacted] months, the investigation has not begun. I knew it would be difficult for the commission excuse his behavior and so it would rather not investigate the allegations at all.

Just like cops investigating cops. Somehow they never do anything wrong.

I had also filed complaints against my own attorney for deliberately withholding information about my case from me, for refusing to attend hearings, and for denying the existence of exculpatory evidence. [redacted] months after I was forced to plead guilty, I discovered (through email records) that she was in possession of this evidence. Judge [redacted] and judge [redacted] both knew the evidence existed and therefore, Judge [redacted] refused to enforce the rules of discovery and also refused to hold a comprehensive pretrial conference, or any other hearing which would require any mention of discovery.

He also lied in minute entries as they do not reflect court transcripts and he failed to rule on any motion that would help me in any way. I am not saying he ruled against me, I'm saying he ignored motions all together, jus like he ignored hearings.

Of course, this would not have been possible without my attorney and the prosecutor both agreeing to it.

Even with forged documents on file and overwhelming evidence about my allegations, the state bar only found my that my attorney had "

"

She withheld exculpatory evidence and while they agreed that this violated her ethical obligations

to her client, the _____ didn't feel that it was an offense serious enough to warrant any disciplinary Accion.

And so filing a complaint against Judge _____ will be just as pointless but here it goes. Just for the record.

On _____, I was supposed to have a hearing in _____ courtroom, case number _____, but he could not allow me to plead guilty without first addressing unanswered motions and unfiled documents.

So judge _____ lied to me, and said a deputy had forgotten to bring me to court, when in fact, he had instructed deputies to place me in isolation and not answer my requests to go to court.

He then entered a minute entry implying that all parties were in court, waiting to proceed but I wasn't transported and so the hearing was rescheduled.

I was in a holding cell next to the courtroom. _____ department employees were unable to find any recording (video or audio) of my attorney or the prosecutor in his courtroom that day, and no evidence that my case was even addressed.

Then, on _____ he allowed my attorney and the prosecutor to forge my initials on the plea agreement and falsify the document itself. Reason being, the prosecutor was not there to sign off on changes made to the document.

And so he allowed a forged plea agreement to be filed electronically (nobody knows what happened to the real one I signed). I have attached a copy of the plea agreement on file and a picture of the copy I was given after the hearing. The plea on file has terms I did not agree to and I can tell you it is forged and show evidence...or you can simply track down the original. I mean. By law, it has to be filed somewhere.

I am also attaching a copy of the plea my attorney gave me. She mistakenly printed me a copy that was not finished being forged, once she noticed, she tried to hide it by writing all over it to cover it up.

As you can see, the copy she gave me does not have her name or my case number printed by me, even though that was the first thing I wrote on there. Also, my initials are wrong on page _____. Someone added them in completely different handwriting and misspelled. My attorney took the first copy I had, to make a copy, she said, then came back and handed me the fake, unfinished one.

And _____ did not address the terms of probation or the changes to the plea. So I didn't notice they had changed.

Then, when I filed a complaint with the _____ alledging this and requesting a video copy of my hearing to show that the prosecutor was there, he edited the recordings. There is no video record of me, the judge (that lying bitch) or my attorney in the courtroom. Only the prosecutor, and coincidentally, she is sitting in the same exact place I was during the hearing. Anyhow, the investigator at the _____ agreed that the document was altered but he said neither my attorney or the prosecutor recalled who altered them (but it was one of them or the judge) and so

nobody could be held responsible.

Anyhow, there is a lot more but it's pointless to waste anymore time. If you feel the need to send me a letter saying that my allegations will " ", even though it won't, you can send it to

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

THE STATE OF ARIZONA,

Plaintiff,

vs.

aka

DOB:

Booking #:

Defendant.

PLEA AGREEMENT

DECLARATION by defendant as follows

Defendant is represented by his attorney: _____.

The State of Arizona and the defendant hereby agree to the following disposition of this case:

Plea: The Defendant agrees to waive the preliminary hearing and plead **guilty** to:

COUNT 2, as amended: ATTEMPTED COMPUTER TAMPERING (13-2316A5), A CLASS 6 non-dangerous DESIGNATED FELONY, in violation of A.R.S. §§ 13-1001, 13-2301, 13-2316(A), 13-701, 13-702, and 13-801 committed on

This is a **non-dangerous, non-repetitive** offense under the criminal code.

Terms: On the following understandings, terms and conditions:

1. Count 2:

The crime carries a presumptive sentence of **1** years; a minimum sentence of **.5** years; a mitigated sentence of **.33** years; a maximum sentence of **1.5** years; and an aggravated sentence of **2** years. Probation **IS** available.

Restitution of economic loss to the victim and waiver of extradition for probation revocation procedures are required. Pursuant to A.R.S. §13-805 at the time restitution is ordered the court may enter a criminal restitution order including interest and collection fees. **The maximum fine that can be imposed is _____ plus a surcharge plus a _____ probation fee pursuant to A.R.S. § 12-269, plus a assessment pursuant to A.R.S. § 12-116.04, plus a _____ assessment pursuant to A.R.S. § 12-116.08, plus a _____ assessment pursuant to A.R.S. § 12-116.09.** If the Defendant is sentenced to prison, the Defendant shall also be sentenced to serve a term of community supervision equal to one-seventh of the prison term to be served consecutively to the actual period of imprisonment. If the Defendant fails to abide by the conditions of community supervision, the Defendant can be required to serve the remaining term of community supervision in prison. Within _____ days of being sentenced, pursuant to A.R.S. §13-610, the defendant shall provide a sufficient sample of blood or other bodily substance for deoxyribonucleic acid (DNA) testing and extraction to be used for law enforcement identification purposes and/or for use in a criminal prosecution and/or for use in a proceeding under title 36, chapter 37. Special conditions regarding the sentence imposed by statute (if any) are: **NONE**.

- _____ 2. The parties stipulate to the following additional terms, subject to court approval at the time of sentencing as set forth in paragraph 7: **There are no agreements as to sentencing, however if the Defendant is placed on probation it shall be supervised probation with mental health terms. Defendant shall pay restitution to all victims including _____ Department, and/or any victim's insurance companies, and/or the _____, for all economic losses arising from any and all counts and/or events, including dismissed, amended, and/or uncharged counts or events, resulting from _____ Department and all supplements in an amount not to exceed _____ regardless of whether the loss was caused by the defendant or any accomplice.**
- _____ 3. The following charges and/or allegations are dismissed, or if not yet filed, shall not be brought against the Defendant by the _____ County Attorney's Office: **COUNT 1, Allegation of Prior Felony Conviction and on Probation status.**
- _____ 4. This agreement serves to amend the complaint, indictment, or information to charge the offense to which the Defendant pleads, without the filing of any additional pleading. However, if the plea is rejected by the court or withdrawn by either party, or if the conviction is subsequently reversed, the original charges and any charges that are dismissed by reason of this plea agreement are automatically reinstated.

**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.**