

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-347

Judge:

Complainant:

ORDER

June 15, 2023

The Complainant alleged improper rulings by a superior court judge hearing 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 Barbara Brown, Colleen E. Concannon, Joseph C. Kreamer, and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 15, 2023.

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2022-347

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

Please refer to attached documents

Complaint of Judicial Misconduct

the Complainant, with facts, evidence, and support of State and Federal law hereby assert that _____, County _____ Court Judge _____ in the criminal matter _____ has engaged in Misconduct. That include Deceit, Dishonesty, Subterfuge, and a Disregard for State and Federal Constitution and laws.

Brief Summary of Facts And Evidence of the Constitutional Challenge of A Void Judgment.

And Facts And Evidence of Judges

Misconduct in Reaction to The Chal-
lenge of A Void Judgment for Lack of Subject
Matter Jurisdiction.

In the criminal matter _____ Complainant filed a Petition for Writ
of Habeas Corpus in _____ County, _____ Court. Raising the Constitu-
tional challenge that the judgment of guilt imposed upon Complainant for
committing "multiple" counts of sexual assault is void for lack of subject
matter jurisdiction by virtue of the indisputable fact that pursuant to
the statute under which the crimes are charged, A.R.A. § 13-1406 (A)
and defined under A.R.A. § 13-1401 the crimes for which Complainant stand
convicted are "_____".

Moreover, the Constitutionally required "

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Q12

"There was no Grand Jury that established a " " of
the alleged crimes and charged the " " thereof in an indictment.
Further, Complainant was deprived of the Constitutional right to a

preliminary hearing for a Magistrate to make a determination of probable cause that is guaranteed under the Arizona Constitution in the absence of an indictment, Article 2, Subsection 30.

County Court; irrespective of the fact that Complainant "Challenging the underlying conviction or sentence, Complainant is challenging the trial Court's" "... over the subject-matter. The Court purposefully mischaracterized the Petition for Writ of Habeas Corpus as a " and transferred it to County Court. Despite the fact that legally County Court had jurisdiction to hear and decide the Constitutional challenge of a void judgment."

" Old Wayne L. Assoc. v McDonough, 204 U.S. 27, 14. 236 (1907).

Further, Complainant in a separate matter filed a Complaint of Misconduct against County Court Judge Case No. There is a significant and material legal connection between the matter in case (and the criminal matter in which the complaint now being filed against County Court Judge in In the complaint No. against Judge, the " felonies that are referenced in the State's " and charged in the indictment that the State requested the trial Court for sentencing for " felonies pursuant to the previously " unconstitutional (Apprendi v New Jersey and Blakely v Washington) sentencing statute A.R.S. § 13-604.01. Are the convictions for the factually and legally nonexistent crimes of multiple sex-

ual assaults in Crimes alleged to have been committed by Complainant against the exact same victim in.

The multiple convictions stemming from "are the aggravating factors", "felonies are the basis of the trial Court in (case) imposition of a super aggravated sentence of natural life imprisonment after a judicial determination and findings of fact that Complainant had previously been convicted of " "felonies in just as was requested and pointed out in the State's " , and "

"The legal nexus between these two different criminal matters are significant and one of the utmost importance. For that nexus is apparently in part the impetus for each of these judges bias, prejudice, deceit, and subterfuge.

It is apparent the Misconduct these judges has engaged in, is for the purpose of maintaining the status quo, and protecting the injustices that has been inflicted upon Complainant by the government. For there is no question these competent Court judges see, and fully understand what is legally going on in these matters.

With respect to Judge's misconduct in the criminal matter Complainant submit to the " "each document filed in the Court, not for any determination on the facts or evidence in the case but, for the " "to see and understand the exact same set of facts, evidence, State and Federal law and Authorities that support Complainant's Constitutional Challenge of a " "for lack of subject-matter jurisdiction in the same context in which they were sub-

mitted to the Court. And the apparent deceit, dishonesty, subterfuge, and blatant disregard for State and Federal law and Authorities upon which the Petition was denied and dismissed.

Moreover, the overwhelming indisputable facts and evidence in the matter categorically demonstrate the absolute irrelevancy of Article 6, Section 14 (4) to the Constitutional challenge of a void judgment for lack of subject-matter jurisdiction in this matter. Along with the Court's apparent reason for its refusal in defiance of the law to produce the " " and based thereon prove the " " "factual basis of the multiple crimes of sexual assault.

The absence of which is the principle motivating factor for Judge dishonest and deceitful representation of Article 6, Section 14 (4) as the Constitutional authority that vests and or confer " " jurisdiction in the Courts. Judge is willfully giving construction to the clear and plainly expressed meaning of the language of Article 6, Section 14 (4) to deceitfully make synonymous " " "jurisdiction, and " " "jurisdiction.

The Complainant's Constitutional challenge of a void judgment for lack of subject-matter jurisdiction is based exclusively upon the demonstrable legal fact that under Arizona law, A.R.S. § 13-1406 (A), the three distinct ways in which " " can be committed as defined under A.R.S. § 13-1401 are crimes that are nonexistent. In spite of the Court's refusal to provide copies of the existing records that will demonstrate an absence of a " " "The victim's testimony and the physician's testimony in conclusively prove the " " crimes of sexual

**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.**