

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-361

Judge:

Complainant:

ORDER

July 10, 2023

The complainant alleged improper legal 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 Colleen E. Concannon, Joseph C. Kreamer, and Scott C. Silva did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 10, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2022-361****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.

This goes to the matter of Case No. -
, perjury committed against defendant
to secure an Indictment. I have informed
Judge through motion to change
Counsel submitted on through
as to this is why the
defendant has had to obtain different state
lawyers and different state prosecutors for
fact of prosecutor and witness's engage in
perjury before the Grand Jury for the purpose
of securing an Indictment or where other
substantial misconduct occurred. This matter
has been avoided and has yet to reach trial
and through the supervisory powers of the Court
the matter may be dismissed. Judicial Conduct
Rule 81, Rule 2.5. Competence, Diligence, and
Cooperation, (A) A judge shall perform judicial
and administrative duties competently, diligently,
and promptly, as this matter has been overlooked
and is a violation of defendant's constitutional
rights, violation of statutory Provision, Due Process,
as the defendant demonstrates through attached
documents. Rule 2.2. Impartiality and Fairness,
A Judge shall uphold and apply the law, and shall
perform all duties of Judicial office fairly and impartially.

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This matter has been over _____ years and Defendant has withheld this evidence due to being apprehensive of Judge _____ because of such rulings he has cast against defendant to already prejudice and allow defendant to not have a fair trial.

Defendant demonstrates through attached documents where judicial conduct should suffice. There it demonstrates the judicial misconduct and or Perjury committed by the state prosecutor and officer as witness to secure an Indictment. Judge has done nothing to stop these matters from occurring and upholding the defendants rights.

1. Have defendant as a violation of his 4th amendment constitutional right not to be seized without probable cause.

2. Have defendant as a violation of his 5th amendment constitutional right not to be held to answer to serious offenses without an indictment.

3. Have defendant as a violation of his 6th amendment constitutional right of not showing a nature and cause to support an indictment or element of etc.

4. Have defendant as a violation of his 8th amendment constitutional right of being held non-bailable for an insufficient indictment which inflicts cruel or unusual punishment on defendant by seizure.

Defendant has produced sufficient evidence to state lawyer and previous counsel and to Honorable Judge, on the matters that defendant is being maliciously without probable cause to answer in case no. and case no.

without bond for perjured and false testimony at Grand Jury Proceeding held against defendant. This matter has been

over years and has had different state prosecutors who have all changed and have not wanted to pursue the case no. and have

avoided the case. I have informed counsel as well as Judge of the issue at hand

and defendant is apprehensive of Judge

because of such rulings he has cast against

1 defendant to already prejudice and allow defendant
 2 to not have a fair trial. Defendant has withheld
 3 this information because defendant is apprehensive
 4 of Judge _____ and of his Judicial
 5 Conduct toward defendant. I, defendant am
 6 being held on an insufficient indictment which
 7 inflicts cruel and unusual punishment to not
 8 have life and liberty of the constitutional
 9 rights. By advising Judge _____ and State
 10 attorney's former and current of this issue will
 11 result in a mistrial or reversal of a conviction
 12 for knowing use of false testimony under a
 13 Due Process Clause, Ineffective Assistance of
 14 Counsel, and prosecutorial misconduct of the
 15 State prosecution.

16 On _____, defendant was indicted
 17 for 1 count misconducting involving weapons, 1 count
 18 Aggravated Assault, and 1 count Disorderly Conduct,
 19 all dangerous. _____ of the State of
 20 Arizona and Officer _____ of
 21 _____, conspired together to
 22 have a grand jury indict _____
 23 on all counts. In the police report
 24 of case no. _____, the original officer
 25 narrative written or typed by Officer _____
 26 of his findings and advisement of what occurred
 27 from Detective _____ of _____.

1 Department on Page of the police Report paragraphs
 2 and Detective, advised officer
 3 that Defendant allegedly had
 4 a firearm and put the firearm "
 5 "paragraph of page original officer
 6 narrative GO#TE. This incident transpired
 7 on Defendant is indicted on
 8 in the Grand Jury from
 9 and officer, that officers
 10 " that
 11 The defendant was stopped next to and the only
 12 one in the vicinity of that vehicle allegedly. This
 13 incident occurred on on a
 14 night, so there's a lot of people out. The state purposely
 15 tied a firearm and a vehicle to defendant because
 16 defendant did not have control of the firearm
 17 at hand and with a lot of being in the parking
 18 lot that night any one could have put the fire-
 19 arm under the vehicle, so State
 20 and Officer perjured false testimony
 21 to have defendant insufficiently indicted for a
 22 malicious prosecution and a violation of his 4th,
 23 5th, 6th, and 8th constitutional right guaranteed
 24 to defendant by the constitution. For fact
 25 check of Grand Jury Indictment are, Page
 26 (lines) to Page (line). Where State
 27 and Officer knowingly

**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.**