

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 22-410

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Judge:

Complainant:

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**ORDER**

April 12, 2023

The Complainant alleged improper delay by a superior court judge hearing his criminal cases.

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 member Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 12, 2023.

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

**FOR OFFICE USE ONLY**

**2022-410**

**COMPLAINT AGAINST A JUDGE**

Name: \_\_\_\_\_ Judge's Name: HON.

**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.

I IV, HEREBY ALLEGES HON.

HAS ENGAGED IN CONDUCT PREJUDICIAL TO THE EFFECTIVE AND EFFICIENT  
ADMINISTRATION OF THE BUSINESS OF THE COURT AND THEREBY CAUSING  
UNREASONABLE DELAY.

ON SEPARATE OCCASIONS

HON.

DEED CONTINUE THE PREVIOUSLY LISTED CASES DUE TO EXTRAORDINARY  
CIRCUMSTANCES IN THE INTEREST OF JUSTICE DUE TO QUARANTINE  
INITIATED BY COUNTY

SHOWING A WILLFUL PATTERN AND PRACTICE OF DISREGARDING ESTABLISHED  
ARIZONA STATUTES AND REGULATIONS, WHICH IS A MATTER OF FIRST IM-  
PRESSION AND OF STATEWIDE IMPORTANCE.

A. THE COURT FAILED TO COMPLY WITH ESTABLISHED ARIZONA LAW.

PURSUANT TO A.A.C. R9-6-3701 IN A HEALTH CARE  
INSTITUTION OR CORRECTIONAL FACILITY OUTBREAK CONTROL MEASURES,  
STATES:

1. A LOCAL HEALTH AGENCY SHALL:

a. CONDUCT AN EPIDEMIOLOGIC INVESTIGATION OF EACH REPORTED  
OUTBREAK OF A RESPIRATORY DISEASE IN A HEALTH CARE INSTITUTION OR  
CORRECTIONAL FACILITY; AND

b. FOR EACH OUTBREAK OF RESPIRATORY DISEASE IN A HEALTH CARE IN-  
STITUTION OR CORRECTIONAL FACILITY, SUBMIT TO THE DEPARTMENT

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THE INFORMATION REQUIRED UNDER R9-6-206(E)

2. WHEN AN OUTBREAK OF RESPIRATORY DISEASE OCCURS IN A HEALTH CARE INSTITUTION OR CORRECTIONAL FACILITY, THE ADMINISTRATOR OF THE HEALTH CARE INSTITUTION OR CORRECTIONAL FACILITY, EITHER PERSONALLY OR THROUGH A REPRESENTATIVE, SHALL COMPLY WITH THE CONTROL MEASURES RECOMMENDED BY A LOCAL HEALTH AGENCY.

ARIZ. ADMIN. CODE R9-6-101 DEFINITIONS STATES IN RELEVANT PART,

2. "ADMINISTRATOR" MEANS THE INDIVIDUAL WHO IS THE SENIOR LEADER AT A... CORRECTIONAL FACILITY

52. "LOCAL HEALTH AGENCY" MEANS A COUNTY HEALTH DEPARTMENT, A PUBLIC HEALTH DISTRICT...

ARIZ. ADMIN. CODE R9-6-370 CLEARLY SUGGESTS THAT THE COUNTY

IS RESPONSIBLE FOR THE JAIL'S INTERNAL HEALTH AND SAFETY PROCEDURES, INCLUDING THE ISOLATION AND QUARANTINE OF INMATES EXPOSED TO INFECTIOUS DISEASES. FURTHERMORE, A.A.C. R9-6-370 ALSO GIVES THE SHERIFF THE AUTHORITY TO IMPLEMENT ISOLATION AND QUARANTINE CONTROL MEASURES PERSONALLY OR THROUGH A REPRESENTATIVE IN THAT ISOLATION AND QUARANTINE AUTHORITY ARE GIVEN TO COUNTY CORRECTIONAL HEALTH SERVICES BY THE SHERIFF IN WHICH THEY MUST ALSO ABIDE BY THE LOCAL HEALTH AGENCY CONTROL MEASURES.

CONSEQUENTLY, ARIZ. ADMIN. CODE R9-6-302 LOCAL HEALTH AGENCY CONTROL MEASURES STATES IN RELEVANT PART:

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Judge's Name: HON.

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A LOCAL HEALTH AGENCY SHALL:

7. IMPLEMENT CONTROL MEASURES, QUARANTINES, ISOLATIONS  
AND EXCLUSIONS AS REQUIRED BY THE ARIZ. REV. STAT. AND  
THIS CHAPTER.

WHICH MEANS THE \_\_\_\_\_ COUNTY

SHERIFF BENZOWE AND THE \_\_\_\_\_ COUNTY

MUST ADHERE TO A.A.C. R9-6-303 AND A.R.S. 36-789 IN WHICH  
A PETITION FOR A COURT ORDER MUST ISSUE TO LAWFULLY IMPLEMENT  
AND CONTINUE INMATE ISOLATION OR QUARANTINE BEYOND 10 DAYS  
AND RENEWING AT 30 DAY TO CONTINUE BEYOND THAT.

AS I STATED EARLIER HON. \_\_\_\_\_  
MY CASES \_\_\_\_\_

CONTINUED

IN WHICH A PETITION FOR A COURT  
(QUARANTINE) ORDER WAS NEVER SUBMITTED TO THE COURT MAKING  
ALL QUARANTINES UNLAWFUL IN VIOLATION OF A.A.C. R9-6-303 AND  
A.R.S. 36-789 THEREBY CAUSING THE COURT TO FAIL TO UPHOLD THE LAW.

FURTHERMORE, A JUDGE MUST INTERPRET AND APPLY THE LAW WITHOUT  
REGARD TO WHETHER THE JUDGE APPROVES OR DISAPPROVES OF THE LAW IN  
QUESTION, AND THE QUESTION AT HAND CAN POTENTIALLY AFFECT OVER  
100,000 FORMER AND PRESENT INMATES.

THE UNLAWFUL QUARANTINE CONTINUES TO HARM MY DEFENSE AND

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PREJUDICE ME AGAINST THE COURT. IN MY CASES  
AND I HAVE BEEN UNLAWFULLY  
PLACED ON COVID-19 QUARANTINE ON SEPARATE OCCASIONS INVOLVING  
COUNTY SUPERIOR COURT JUDGES FOR COVID-19  
CONTINUANCES AND EXCLUDING ABOUT DUE TO EXTRA-  
ORDINARY CIRCUMSTANCES IN THE INTEREST OF JUSTICE. THIS  
BEHAVIOR BY THE COURT WOULD SHOCK THE CONSCIENCE OF ANY  
REASONABLE PERSON AND IS OUTRAGEOUS ESPECIALLY SINCE  
I NEVER TESTED POSITIVE OR HAD ANY SYMPTOMS.

WHAT IS EVEN MORE OUTRAGEOUS IS THAT JUDGE  
AND ISSUED AN ARMY MANS  
ORDER FOR ME TO APPEAR IN COURT WHILE I WAS ON COVID-19  
QUARANTINE ON

IT IS CLEAR COUNTY COURT JUDGES ARE USING  
THE COVID-19 QUARANTINE AS A LEGAL DEVICE IN ORDER TO MANAGE  
A CONGESTED DOCKET IN WHICH THAT REASON HAS BEEN USED IN  
WHICH THE CHIEF JUDGE IS SUPPOSED TO INTERVIEW.

CONCLUSION, THERE IS A CLEAR SHOWING OF SHOCKING AND OUT-  
RAGEIOUS UNREASONABLE DELAY I HAVE HAD TO SUFFER AT THE HANDS  
OF THESE COURT JUDGES AND I CONTINUE TO LAMENT  
IN THE