

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-426

Judge:

Complainant:

ORDER

May 25, 2023

The Complainant alleged a superior court judge falsified a minute entry in a criminal case and subsequently engaged in a coverup of the falsification.

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 Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 25, 2023.

AZ COMMISSION ON JUDICIAL CONDUCT
1501 WEST WASHINGTON STREET
(SUITE NUMBER 229)
PHOENIX, ARIZONA 85007

RE: JUDICIAL MISCONDUCT OF COUNTY SUPERIOR COURT JUDGE

DEAR COMMISSION MEMBERS:

I WOULD LIKE TO REPORT A NUMBER OF ONGOING INSTANCES OF JUDICIAL MISCONDUCT ON THE PART OF COURT JUDGE AND I DO SO IN THE HOPE THAT YOU WILL BE ABLE TO SET A JUDICIARY BACK ON TRACK THAT THIS MAN HAS BEEN ABLE TO DERAIL. THE SCOPE OF THIS JUDGE'S MALFEASANCE HAS TURNED OUT TO BE ENORMOUS, AND IT CONTINUES TO GROW.

THE MALFEASANCE IN THIS INSTANCE ORIGINATED IN AN EXPLOSIVE AND INTEMPERATE OUTBURST BY JUDGE DURING A MOTIONS HEARING CONDUCTED IN HIS COURTROOM ON , AND HE HAS DONE EVERYTHING IN HIS POWER TO COVER UP HIS ACTIONS SINCE THAT DATE..., INCLUDING SUBORNING MISBEHAVIOR BY HIS OFFICE STAFF AND COURT OFFICIALS. THE HEARING CONDUCTED THAT DATE WAS PRIMARILY TO ADDRESS AN IAD MOTION TO DISMISS FILED BY THE DEFENSE, BUT THE MINUTE ENTRY GENERATED BY JUDGE STAFF LATER MAKES NO MENTION OF THIS (SEE ATTACHED). IT IS UNDERSIGNED'S POSITION THAT THE JUDGE'S JA FALSIFIED THIS MINUTE ENTRY -- REMOVING ANY MENTION OF THE IAD MATTER -- AT THE JUDGE'S BEHEST, FOR HE REALLY DID EMBARRASS HIMSELF THAT DAY. BUT IT GETS WORSE.

2022-426

ANY TRANSCRIPT OF THAT HEARING IS BEING CONCEALED. A TRANSCRIPT OF THAT HEARING HAS BEEN REQUESTED MANY TIMES BY MANY PEOPLE -- INCLUDING ASSISTANT -- BUT EVERY PERSON WHO HAS REQUESTED IT HAS BEEN TOLD BY COURT OFFICIALS THAT IT IS " " " "

THINKING TO CIRCUMVENT THE SEEMING IMPOSSIBILITY OF OBTAINING A TRANSCRIPT OF THIS HEARING, UNDERSIGNED'S FAMILY MEMBERS CONTACTED COURT ADMIN AT THE COURT AND REQUESTED AN AUDIO RECORD OF THE HEARING ON CD. AT FIRST THE COURT WAS CHEERFUL AND COMPLIANT, SAYING IT WOULD BE " " AND THE NECESSARY FORMS WERE FILLED OUT AND PAYMENT MADE (ALSO ATTACHED). BUT THE CD WAS NEVER SENT. THAT WAS SIX MONTHS AGO. NOW THEY WON'T EVEN ANSWER THE PHONE.

CAN YOU LOOK INTO THIS? JUDGE INTEMPERATE AND IRRATIONAL DIS-
RIDE AT THAT ^{HEARING} WAS TRULY A THING TO BEHOLD -- COUNSEL FOR THE DEFENSE, WHO HAD SPENT MANY YEARS AS A PROSECUTOR, SAID SHE HAD NEVER SEEN ANYTHING LIKE IT. BUT THAT'S OK. ANYONE CAN HAVE A BAD DAY. IT IS THE JUDGE'S BEHAVIORS SINCE THAT DATE IN ORDER TO COVER IT UP THAT ARE ALARMING: FALSIFYING OFFICIAL COURT DOCUMENTS, SUBORNING HIS OWN STAFF AND COURT OFFICIALS, THAT CONSTITUTE THE BASIS FOR THIS COMPLAINT.

PLEASE LET ME KNOW WHAT YOU ARE ABLE TO DETERMINE, WON'T YOU? I HAVE NEVER HEARD OF DENIAL OF COURT TRANSCRIPTS AS THOUGH THEY DON'T EXIST, AND THEN PROMISING AN AUDIO RECORD OF A HEARING ON CD FOLLOWED BY A COMPLETE DISREGARD. BUT, THEN AGAIN, I HAVE NEVER HEARD OF FALSIFYING MINUTE ENTRIES EITHER. THIS IS THE STUFF OF NOVELS ABOUT THE OLD WEST. INDEED, TO ME, IT IS THE STUFF OF NIGHTMARES.

THANKING YOU FOR YOUR ANTICIPATED CONSIDERATION, AND HOPING TO HEAR
FROM YOU SOON, I AM,

SINCERELY,

12

ENCL.

IN THE
STATE OF ARIZONA

HONORABLE
DIVISION: COURTROOM:
COURT REPORTER:

, CLERK OF COURT
BY: DEPUTY CLERK
HEARING DATE:

| | |
|------------|---|
| | CASE NO: |
| Plaintiff, | |
| vs. | HEARING ON ORAL ARGUMENTS REGARDING JOINDER MOTION |
| | START: |
| Defendant. | |

APPEARANCES: Deputy County Attorney; Attorney for the Defendant;
Defendant, in custody.

This is the time set for a Hearing on Oral Arguments Regarding Joinder Motion.

Counsel presents arguments. The Defense Counsel has not read response prior to today's date in
open court.

The Court states its findings for the record; the Court admonishes the Defense Counsel.

IT IS ORDERED affirming the Jury Trial for to begin on at

IT IS ORDERED denying the Defense Counsel's Motion for Joinder.

IT IS ORDERED affirming prior release conditions.

IT IS ORDERED remanding the Defendant back to the custody of the Sheriff.

The Court recesses at

cc:

COUNTY JAIL *

COUNTY PROBATION *

Attorney for the Defendant

HONORABLE
Division

CLERK OF

COURT
CLERK

Reset

RECORDS REQUEST FORM

| A. Person Requesting Court Documents | | B. Party & Case Information | |
|--------------------------------------|--|---|------|
| Name | | Case Number | |
| Law Firm/Self | | Petitioner/ Plaintiff/ Bride | DOB: |
| Address | | Defendant/ Respondent/ Groom | DOB: |
| City, State | | Date of Marriage (if requesting MFL Abstract) | |
| Zip Code | | | |
| Telephone | | | |
| E-Mail Address | | | |

| C. Type of Request | | D. Fees (No P & H if self-addressed postage paid envelope included) | |
|--------------------|--|---|---|
| A | Copies | A | Fee: .50 cents per page printed OR emailed |
| B | Copies Certified | B | Fee: \$30.00 per document (plus costs for copies) |
| C | Marriage Abstract (certified copy of Marriage Certificate) | C | Fee: \$30.00 each |
| D | Authentications | D | Fee: \$90.00 per document (plus costs for copies) |
| E | Exemplifications | E | Fee: \$60.00 per document (plus costs for copies) |
| F | Hearing OR Case file on CD, OR emailed | F | Fee: \$36.00 (CD- add postage and handling) |
| G | Fax | G | Fee: \$7.00 |
| H | Postage & Handling | H | Fee: \$7.00 |

| E. Request | | | | |
|---|---------------------------------|----------|---|--|
| Type of Request | Description of Document | Quantity | Case Activity/Filing Date | |
| F | Audio of Oral Argument -Emailed | 1 | Oral Arguments | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Payment by US Postal Service | | | Payment by Phone | |
| Mail check or money order/Payable to: Clerk of Court | | | Click Submit below to E-mail request or Fax form to: Clerk of Court | |
| To avoid P & H, please include self-addressed, postage paid return envelope | | | Major Credit Cards Accepted (2.39% convenience fee for credit card payments) | |

Submission Note: If you are using Outlook on your PC, clicking the "Submit" button will submit your form. If you are using an internet mail service on your PC such as Gmail or Yahoo mail, click the "Save" button and save a copy of this form on your PC. Then go to your e-mail, create a new message, attach the form, and send it to
Please contact us at _____ if you do not hear back from us within

3-5 business days.

Submit

Save

**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.**