

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-467

Judge:

Complainant:

ORDER

July 14, 2023

The complainant alleged a superior court commissioner improperly denied motions in 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).

Copies of this order were distributed to all appropriate persons on July 14, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-467

COMPLAINT AGAINST A JUDGE

Your name: _____ Judge's name: _____ Date: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

In the case of _____, I have been charged with violating ARS 13-3623, ARS 13-1204, and ARS 13-1405. I have a secured bond of _____. Twice now I have motioned to redetermine release conditions, both have been denied. Pursuant to the Eighth Amendment, "Excessive bail shall not be required." Pursuant to Rule 7.2, Presumption of Innocence, "a defendant charged with a crime but not yet convicted is presumed to be innocent." Right to Release "any defendant charged with an offense bailable as a matter of right must be released pending and during trial on the defendant's own recognizance." Judge _____ has no conditions that are reasonably necessary to protect the victim, any other person or community because I was a _____. Judge _____ violated my Eighth Amendment right and did not impose the least onerous conditions of release. Pursuant to Rule 7.4(C)(1) on motion or on its own, a court may reexamine bail eligibility or conditions if a motion alleges the existence of material facts not previously presented to the court, or, if not previously raised under this provision, the defendant is unable to post bond due to the defendant's financial condition.

Judge _____ was only concerned about material facts, my financial condition was never considered. People have been alleged of committing more and worse crimes than I'm alleged of, and get a lesser bail amount.

(Attach additional sheets as needed)