

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-490

Judge:

Complainant:

ORDER

July 14, 2023

The complainant alleged a superior court judge denied constitutional rights and showed poor demeanor during a criminal trial.

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 Michael J. Brown did not participate in the consideration of this matter.

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

I'd like to make A complaint Against Judge [redacted] for his Action
At my TRIAL. My facts ARE AS follows - to Arizona Comm. on Judicial Conduct
Hello there this is [redacted] and I read an Article by [redacted]

Recently in the ARIZONA Republic, I was convicted
About [redacted] years ago for something that didn't happen. ONE of the
Judges ([redacted]) was my trial and Rule 32 Judge. According
to the article Judge [redacted] scored well, I find this hard to believe
for according to my first hand experiences with him. Not sure
exactly how you people make your Judgements or on what facts
you actually decide upon but I have several examples I need
you to look at to hopefully prevent what's happened to me from
happening to others and maybe look at my case for further
evaluation As to my Appeals and TRIAL Being Ruled upon fairly and
According to My Constitutional Rights.

Judge [redacted] on Temperment! His demeanor was Rude,
dismissive, Was Unprofessional, Unrighteous, did not listen well,
and Ruled Against my Constitutional Rights several times to favor
either my forced Counsel or States Attorney several times
allowing perjured testimony to taint the Juries decisions on
several issues that I will prove with verified documentation
(transcripts, discovery, ETC. from trial).

From my understanding the Judges duties are to be a mediator
between the DA and Myself or defense Counsel to make sure the LAW is
followed by both when supplying evidence for the Jury to deliberate on at
trial. Not actually to judge me on charges or Verdict for Jury TRIAL.
The Jury is there to place Judgement hopefully on factual
evidence brought about in trial. This being the case the burden
for the appointed Judge is shifted in trial and before to fairly

2022-490

mediate counsels and make sure the Accused (myself) is rightfully Afforded his Constitutional Rights As well as make sure the Evidence (information) presented is done so without fraudulent or tainted information being allowed to his (states) knowledge. He is to uphold the laws and rules of A "Fair" trial unbiased And truthfully which Judge just refused to do and it Blatantly shows time after time with the Evidence (Transcripts) I will supply to you.

EXAMPLE #1 TRANSCRIPTS from Pages He violates my Right to Represent myself for According to him I refused transport for A morning meeting with my Ad Counsel and PI scheduled for , And jury selection for I made second transport for picking of Jury or actual first trial arrangement. According to Caselan and Rules of Court The Judge cannot Revoke my Constitutional Right to present evidence question witnesses Etc. in my own proceedings for this Reason. OH I forgot I was Actually being wheelchained to court for a back injury that I informed Judge was the Reason for the delay. Since the morning meeting was not a formal "TRIAL" requirement Judge Was incorrect for forcing Counsel on me at that TIME.

EXAMPLE #2 I WROTE A NOTE Explaining that the CROSS Exam, done by my forced lawyer WAS incorrect, misleading, and prejudiced my case by providing fraudulent scenarios that didn't happen and Discovery Evidence supplied to forced counsel would prove so to the Jury. (TRANSCRIPTS P.)

P forced counsel was questioning my co defendant. He questions incorrectly as to what date she returned from Elsewhere and also when the alleged victim was with us at Hotel. The indictment dates are he and which according to Pages Co defendant was at

Said Hotel these days. According to Discovery Co defendant Returned on the
 Not in. And said Victim was there, Also Co defendant stated Victim
 was not at Hotel prior to her leaving, days prior, Way wrong and misleading.
 Since Glen was Cross Examining at the time instead of interrupt
 the court, I noted How he was misinforming the Jury on this info
 through this witness. I wrote a note to Judge At This exact moment
 (P) Expecting Judge to address the importance of my
 concerns instead he scolded me in court, This abuse Scared
 me for I now realized I had been swindled by an unfair, bias,
 Power Hungry Judge That doesn't care about the "TRUTH" being
 presented. Judge read note yet would not discuss it or allow me
 to on record.

Example #3 I Bring to the Judges Attention That in fact during
 the direct Examination of alleged Victim the DA and Victim ARE using
 perjured testimony and my lawyer will not use Discovery info to
 refute this. Basically I bring to Judges Attention of this which he
 is supposed to realize that once he is aware of perjury he should
 investigate and not allow this info on record. Instead he once again
 scolds and blames me that it's my fault I don't represent
 myself. (P) self Rep isn't the issue here fraudulent
 testimony and my right to a competent defense is. All this is
 overlooked because the Judge has made sure that the "TRUTH" and any
 fairness for a defense is now unattainable due to me not being
 allowed to personally effect the record. Basically with me out of the
 way the DA, Judge, and Forced Counsel can now Control the Record
 and Nobody is the Wiser. SO NOW YOU People know. Will you
 do something about it. Righteous And Fair are NOT words

to describe AT All - His Responsibilities lie with the people (Accused) to insure A Fair trial According to the Rules of which just doesn't follow.

Example #4 To show how Unrighteous and just blatantly dishonest Judge IS I will enclose this example - This is page and of my Rule 32 decision. Here's how he answers some very serious info I provide to him in Rule 32. Page #1 This Judge is full of shit. ON.

I motioned my witness list with witnesses. I

2. My PI confirmed proper Addresses after locating them, all that remained was to subpoena since I had already interviewed via telephone at jail. Instead of doing this my forced lawyer doesn't call either of these witnesses until days after trial commences and claims he leaves message for. Also sent to Judge was

Notarized statements of his potential testimony that neither the cops nor the DA managed to get prior to trial. It's obvious to me that these people never intended to provide a Fair trial by way of defense witnesses. Now please understand that while incarcerated in jail and proper I called twice to confirm both his testimony as well as his availability to testify. He replied "A few weeks later

eliminated so, nobody informs or even tries to inform of when court is so the case went on without any Defense witnesses. While in Prison I located and have a Notarized statement sent to me in Prison to show the Judge his potential evidence. So I had no problem finding these people from jail and also Prison yet the Judge states I do. So why do these assigned representatives of the judicial system get away with not calling properly located witnesses on my behalf?

P #2 There are Exhibits Along with my Rule 32 Showing the Judge that in fact the information provided to the jury was false and my lawyer and PA covered it up anyway. Also certain witnesses statements show that there was evidence Refuting the Victims lies. We show certain Evidence which show certain dates that prove the trial testimony was botched on certain dates but forced lawyer himself and much more and yet the Judge states "

"Yes complete Bullshit!"

#3 States in the absense of facts to support claims. So I guess the Judge just ignored my factual exhibits showing: Ex# phone records as to when victim Actually Arrived at hotel corroborated by potential testimony.

Exhibit # Video of victim shows her statements to police change once on stand. Exhibit # My witness list shows witnesses names plus Addresses that Judge says "

Exhibit # Shows my PI locates potential witnesses for defense.

Ex #32 witness statements from. Notorized by my PI This is the witness that the State Wor my forced Attorney Didn't locate yet once again I did Once in Prison on my first phone call to him And have his statements to show that in fact Alleged victim didn't arrive at my hotel until days after indictment of Alleged crimes.

During the Rule 32 brief I show exactly to the Judge the mistakes and TRUTH as to the lies that were Necessary to cause this injustice and get years for crimes I didn't commit.

This isn't all of the transcripts or info or facts

**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.**