

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-018

Judge:

Complainant:

ORDER

July 21, 2023

The complainant alleged improper legal rulings by a superior court commissioner 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 21, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-018

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.

(Exhibit A) - UNDER THE Honorable Commissioner
I DID HAVE MY "FAIR
AND DUE PROCESS, CONSTITUTIONAL RIGHTS VIOLATED
BY THE COURTS AND PROSECUTION.

DOCKET FOR _____ SHOWS THAT
" I DID, " _____
ON _____ BUT THIS IS NOT
TRUE, BECAUSE I WAS IN A
HOSPITAL BED WITH NO KNOWLEDGE OF PROCEEDINGS, OR
LEGAL COUNSEL, THIS VIOLATED MY (SIXTH
AMENDMENT RIGHTS.)

DEPRIVATION OF RIGHTS UNDER SECTION 242
OF TITLE 18.

VIOLATIONS OF A.R.S. 13-2407, BY THE
PROSECUTION, TAMPERING WITH A PUBLIC RECORD,
BECAUSE I DID NOT PLEA, ON
_____, OR ANYTIME

THE PROSECUTOR VIOLATED ABA Rule 3.8:
IN _____ UNDER THE Hon. Commissioner
and in _____ UNDER
Former Judge _____ WHO IS NOW,
NAMED IN A CIVIL LAWSUIT,

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PROOF THAT I WAS IN THE HOSPITAL
ON _____, HAS BEEN SENT TO
PROBATION OFFICER _____, AFTER I
SIGNED AN ROI, ALONG WITH MY DEPARTMENT
OF _____ DIAGNOSIS AND
MEDICAL RECORDS, WHICH WERE "OMITTED"
BY _____ M _____

IN _____
ALLOWED " _____", AND IN THAT
CASE, I DID NOT MAKE A PLEA;

THE PERSON ASSOCIATED WITH
MADE THE PLEA ON
_____ AND THEN "HIS" PAPERWORK,
(_____) WAS ATTACHED TO
MINE.

* THIS WAS "EGREGIOUS BEHAVIOR" BY
PROSECUTOR _____, UNDER HOR.
COMMISSIONER _____ AND _____

Money-back Guarantee: If the mailer submits an item at a designated USPS® Priority Mail Express® acceptance location on or before the specified deposit time, the Postal Service will deliver or attempt delivery to the addressee or agent before the applicable delivery date and time. Mailer may request the addressee's signature from the addressee upon delivery of the item by checking the "signature required" box at the time of mailing. If the Postal Service does not deliver or attempt delivery by the specified time and the mailer files a valid claim for a refund, the Postal Service will refund the postage, unless an exception applies. See *Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)® 604.9.5.5* which is available at pe.usps.com.



EJ 450 318 954 US

3. The Postal Service insures "nonnegotiable documents" (as defined by postal indemnity regulations) against loss, damage, or missing contents up to \$100 per mailpiece for document reconstruction, subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. Document reconstruction insurance provides reimbursement for the reasonable costs incurred in reconstructing duplicates of nonnegotiable documents mailed. Document reconstruction insurance coverage above \$100 per mailpiece is not available. The mailer should not attempt to purchase additional document insurance, because additional document insurance is void.
4. The Postal Service insures "negotiable items" (defined by postal regulations as items that can be converted to cash without forgery), currency, or bullion up to a maximum of \$15 per mailpiece.
5. The Postal Service does not provide coverage for consequential losses due to loss, damage, or delay of Priority Mail Express items or for concealed damage, spoilage of perishable items, and articles improperly packaged or too fragile to withstand normal handling in the mail. Coverage, terms, and limitations are subject to change. For additional limitations and terms of coverage, consult the DMM, which is available at pe.usps.com.

Note: The Postal Service does not offer money-back guarantees for military or DPO shipments delayed due to customs inspections or the item was destined for an APC/PO/DPO that was closed on the intended day of delivery or the delay was caused by one of the situations in DMM 604.9.5.5. Consult USPS.com or your local Post Office for information on delivery commitments and Priority Mail Express Military Service (PMEIMS). For details, see DMM 703.2.6, which is available at pe.usps.com.

When a mailer submits a Priority Mail Express item requiring a signature and the Postal Service cannot deliver the item on the first attempt, the Postal Service leaves a notice for the addressee. If the addressee does not obtain the item within 5 calendar days, the Postal Service returns the item to the sender at no additional charge.

Insurance coverage: The Postal Service provides insurance only in accordance with postal regulations in the DMM, which is available at pe.usps.com. The DMM sets forth the specific types of losses that are covered, the limitations on coverage, terms of insurance, conditions of payment, and adjudication procedures. Certain items are not insurable. The DMM consists of federal regulations, and USPS personnel are not authorized to change or waive these regulations or grant exceptions. A mailer who requires information on Priority Mail Express insurance may contact the Postal Service before submitting an item. Limitations prescribed in the DMM provide, in part, that:

1. Insurance coverage pertains to the actual value of the contents at the time of mailing or the cost of repairs, not to exceed the insured limit for the item.
2. The Postal Service insures the contents of Priority Mail Express "merchandise" items (with "merchandise" defined by postal regulations) against loss, damage, or missing contents. The Postal Service includes coverage up to \$100 per mailpiece at no additional charge. Additional merchandise insurance up to \$5,000 per mailpiece may be available for purchase. Additional insurance for Priority Mail Express items is required.

Indemnity Claims (Loss, Damaged or Missing Contents): Either the mailer or the addressee may file an indemnity claim for loss, damaged or missing contents. The claimant may submit the claim online at usps.com, or by mail; for more information see Publication 122, *Domestic Claims, Customer Reference Guide*. The timeliness for claims are as follows: claims for loss - no sooner than 7 days but no later than 60 days after the date of mailing; claims for damage or missing contents - immediately but no later than 60 days from the date of mailing. Retain the original USPS retail receipt or eReceipt/electronic receipt for claims purposes. For claims involving damage or missing contents, also retain the article, container, and packaging for Postal Service inspection when requested.

Refund of Postage and Fees (Service Performance): If delivery of a Priority Mail Express (PME) item does not meet the scheduled delivery commitment(s), online and commercial customers may submit a refund request by visiting USPS.com. Retail customers may submit a refund request either online at USPS.com or at retail locations. Refund requests for postage must be submitted no later than 30 days from the date of mailing; Extra Services fees refund requests must be submitted no later than 60 days from the date of mailing. Each tracking number can only be submitted once for all applicable refunds. Refund requests for P/E or P/E with Extra Services must be combined into a single submission.

Thank you for choosing Priority Mail Express services.

Tracking: For USPS Tracking, scan the QR Code below or go to USPS.com or call 800-222-1811

Priority Mail Express tracking number

A

"Motion For RECONSTRUCTION Exhibit B"

AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION (Hospital)

Organization Who Is Releasing Information		To Whom Information Will Be Provided	
Facility: [Redacted]		From Individual: [Redacted]	
Address: [Redacted]		Address: [Redacted]	
City, State: [Redacted]	Zip Code: [Redacted]	City, State: [Redacted]	Zip Code: [Redacted]
Fax: <i>N/A</i>	[Redacted]	Fax: <i>N/A</i>	[Redacted]

Patient Information:	Patient Name: [Redacted]	Date of Birth: [Redacted]
	Address: [Redacted]	Phone Number: [Redacted]
Dates Requested:	FROM: [Redacted]	TO: [Redacted]

There May be a FEE Associated with your Request for Records

Records Being Requested:	<input checked="" type="checkbox"/> All Pertinent Records (includes those listed below)	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Genetic Testing
	<input type="checkbox"/> Allergies	<input type="checkbox"/> Medication List	<input checked="" type="checkbox"/> Photos
	<input type="checkbox"/> Consultation	<input type="checkbox"/> Operative Report	
	<input type="checkbox"/> Discharge Summary	<input type="checkbox"/> Pathology Report	
	<input type="checkbox"/> ER Report	<input type="checkbox"/> Problem List	
	<input type="checkbox"/> EKG Report	<input type="checkbox"/> Radiology Report	
	<input type="checkbox"/> History & Physical		
		<input checked="" type="checkbox"/> Assessment(s)	
		<input checked="" type="checkbox"/> Billing Record	
		<input checked="" type="checkbox"/> Discharge Instructions	
		<input checked="" type="checkbox"/> Official Medical Record (includes pertinent, non pertinent and other sections of the official medical record)	

Radiology: (Specify type of test i.e. X-Ray, CT and location i.e. Shoulder, leg)

Radiology CD TISSUE DAMAGE Radiology Films TISSUE DAMAGE

Behavioral Health Unit/Psychiatric Record:		Non-Pertinent Records:	
<input type="checkbox"/> All Pertinent Records (includes those listed below)	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Assessments	
<input type="checkbox"/> Consultation	<input type="checkbox"/> Radiology Reports	<input type="checkbox"/> Billing Record	
<input type="checkbox"/> Discharge Summary	<input type="checkbox"/> Psychiatric Evaluation	<input type="checkbox"/> Discharge Instructions	
<input type="checkbox"/> History & Physical	<input type="checkbox"/> Medication List	<input type="checkbox"/> Official Medical Record (includes pertinent, non pertinent and other sections of the official medical record)	
<input type="checkbox"/> Treatment Note			

Delivery of Records: Paper Request Mail Pick Up Courier Fax Electronic Requests E-mail CD

I Do Not want my electronic record encrypted I Do want my electronic record encrypted

NOTE: There is some level of risk that a third party could access your Protected Health Information (PHI) without your consent when electronic media or email is unencrypted. We are not responsible for unauthorized access to unencrypted media or email or for any risks (e.g., virus) potentially introduced to your computer/device when receiving PHI in electronic format or email.

Email Address for record delivery									
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]

(Complete ONLY if requesting records via email)

Unencrypted data sent by email can be intercepted by unauthorized parties

A

* NEW EVIDENCE *

5

TRA

A

RE: Records Released Requested to

We have received your request for information on

A determination has been made to disclose the information per your request in full.

Per your request to notify you by email, unfortunately Release of Information Office (ROI) does not allow to use email per . However, notification letter is attached.

This letter is to inform you about your request has been processed, completed, and mailed to the Organization and Individual listed above. Attached with this letter are the copies of the Records Released Letter and UPS Next Day Air Tracking Receipt for your records.

We thank you for your support of our mission. If you wish to discuss anything in this letter with me, please contact Release of Information Office (ROI) at

Sincerely,

Release of Information (ROI)

*****This individually identifiable information is privileged. Its confidentiality should be maintained along with appropriate security safeguards to protect against individual harm (Identity theft), embarrassment or inconvenience.**

Completed by ROI

**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.**