

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-052

Judge:

Complainant:

ORDER

August 28, 2023

The complainant alleged improper legal rulings by a superior court judge hearing a post-conviction proceeding 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).

Commission members Denise K. Aguilar and Louis F. Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 28, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-052

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.

SEE ATTACHED COMPLAINT
AND APPENDIX OF EXHIBITS

APPENDIX OF EXHIBITS

#1) ELECTRONIC INDEX OF RECORD
MAR CASE #

#2) CERTIFIED TRANSCRIPT
EVIDENTIARY HEARING

#3) MINUTE ENTRY
JUDGE

#4) MINUTE ENTRY
JUDGE

#5) PHOTO COPIES OF COMPACT DISK/MAILING ENVELOPE
ELECTRONIC RECORDS SERVICE

#6) "RULE 32 PROCEEDING DISMISSED"
JUDGE

#7) "ORDER TO REFILE APPEAR AS CIVIL APPEAR"
;
JUDGE ;
(i)

#8) "PCR ASSIGNMENT TO JUDICIAL OFFICER FOR RULING",

#9) "NOTICE OF SUPPLEMENTAL AUDIOVISUAL ELECTRONICALLY STORED INFORMATION COMPUTER DISK EVIDENCE EXHIBIT",
Judge

#10) "MOTION FOR IN-CAMERA REVIEW OF AUDIO-VISUAL ELECTRONICALLY STORED INFORMATION IN POSSESSION OF THE CLERK OF THE COURT"
Judge

#11) "MOTION DENIED"
JUDGE "STATE V (A)"

#12) "MOTION DENIED"
JUDGE "STATE V (A)"

#13) "SPECIAL ACTUO RELIEF DENIED/HABEAS CORPUS RELIEF DENIED",
JUDGE "STATE V (A)"

#14) "NOTICE OF AMENDED ELECTRONIC RECORD OF INDEX",

#1, #

(ii)

#15) " RULE 32 PROCEEDING DISMISSED "
JUDGE

#16) " MOTION FOR SIGNED ORDER GRANTED "
JUDGE

NOTICE OF SERVICE

I CERTIFY THE ATTACHED DOCUMENTS
WERE SERVED UPON THE COMMISSION
VIA THE
MAILBOX. ON

**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.**