

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-098

Judge:

Complainant:

ORDER

August 28, 2023

The complainant alleged a superior court judge issued improper legal rulings 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.

From:
Sent:
To: Commission on Judicial Conduct
Subject: Judge Attorney

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I am writing to file a report in regards to Judge refusal to address or enforce a court order which is not being complied with.

On my former attorney , was ordered by the court to provide me with my entire case file for post conviction relief. On filed a notice of compliance which she knew contained false information.

knowingly and willfully withheld all discovery which could be used to exonerate me.

It was not until that I was able to prove that was in possession of this evidence.

In , she provided partial discovery but still withheld all records and all documents obtained through search warrants.

In I filed a motion requesting that the court order be enforced and also that a hearing be held in order to address this matter, which has been ongoing for years.

In , I filed a second motion/petition requesting the court to address my earlier petition and again to enforce the court order to disclose to me my entire case file.

Judge issued a response ordering to file an amended notice of compliance but refused to actually enforce the court or set a hearing to address the missing case files.

My former attorney then filed the amended notice of compliance in which she claimed to have provided my case file.

However, missing from the itemized list she provided was any mention of the documents and files obtained through the search warrants.

Between the time I filed the first motion and the time my former attorney filed the second notice of compliance, she was found guilty by the , of withholding records from my case file. This now proves that both notices she filed were untruthful and that she is still withholding

several documents pertinent to my defense.

I would like to file a complaint against Judge [redacted] for refusing to enforce a court order because he knows the discovery being withheld would prove my innocence and also a complaint against [redacted] for continuing to withhold discovery even after being found guilty of withholding discovery.

The missing discovery is

1: All email records obtain through a search warrant for email address [redacted]

2: All legal records stored in Google account [redacted] and which were also obtained through search warrants.

There are other records missing but those are the ones Judge [redacted] and [redacted] are more strongly trying to keep me from obtaining.

Also of importance is the fact that legal records were falsified in my case, by [redacted] Neither the [redacted] or the [redacted] department dispute this, but neither is addressing the issue. The [redacted] because they can't say for sure weather it was my attorney or the prosecutor who falsified the plea agreement, so nothing can be done and the fake documents remain on file, and the clerk of courts cannot address the issue because they tell me that i need the original, which they tell me they destroyed in accordance to state law and also the original which they say they never got because it was electronically filed.