

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-125

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Judge:

Complainant:

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**ORDER**

June 15, 2023

The Complainant alleged an appellate court judge issued improper 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 Barbara Brown and Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 15, 2023.

# Complaint Against A Judge

2023-125

ABUSE OR DISCRETION BY THE

ON

THE

RECEIVED

DIRECT APPEAL CASE NO

Presiding Judge  
and Judge

with

Judge

and Judge

and ARIZONA

court Judge

CASE

I. Allowed Mr.

TO FILE A DIRECT APPEAL

THAT COULD NOT ENTERTAIN AN <sup>A</sup> APPEAL THAT CONTAINED THE SENTENCE OR LIFE IMPRISONMENT AS REQUIRED BY THE ARIZ. CONST. ART 6 § 5.3; A.R.S. § 12-120.21 AND FORMER A.R.S. § 13-1711 NOW A.R.S. § 13-4031.

II. THESE SAME JUDGES AND ALL JUDGES IN CASE HAD THE AUTHORITY UNDER RULE 3(b) TO SUSPEND OR STOP THE APPEAL PROCESS. (SEE FORMER RULE 9.1)

III. THE JURISDICTIONAL REQUIREMENT CANNOT BE WAIVED (SEE NATALE V. NATALE) 234 ARIZ. 507 509 P.2 (APP 2014)

IV. STRICT COMPLIANCE WITH STATUTORY AND RULE REQUIREMENTS IS MANDATORY.

V. WAS DENIED DUE PROCESS IN HIS RIGHT TO SEEK JUDICIAL REVIEW. SEE M H LIMITED P. SHIP V. GOMMARD 235 ARIZ 166 167 P.2 (APP. 2014) A.R.S. § 12-210(A)

VI. THE SUBSTANTIVE STANDARDS SET FORTH IN IS APPLICABLE HERE.

ABUSE OF DISCRETION by THE

Judges:

1) ABUSE OF DISCRETION by THE  
WHEN THAT COURT RECEIVED  
AND DID NOT STOP POST CONVICTION PROCEEDINGS THROUGH RULE 3(b) (FORMER RULE 9.1) THAT CONTAINED A LIFE SENTENCE ONLY TO BE HEARD BY STATUTE AND ARIZ. CONST. ART 6 § 9.3, BY THE ARIZONA COURT, SEE A.R.S. 12 - 120.21

Judges  
↓ occurred on

2) ABUSE OF DISCRETION by THE  
WHEN THAT COURT COVERTED JURISDICTION FROM THE ARIZONA COURT BUT DID NOT REQUIRE JURISDICTION AND ONLY PRETENDED TO BE HOLD JURISDICTION ILLEGALLY TO PREVENT FROM HIS RIGHT TO APPEAL TO THE SUPREME COURT BY FAILING TO FOLLOW THE REVIEW PROCEDURE APPLICABLE TO POSTCONVICTION PROCEEDINGS

Judges  
↓ occurred on

3) ABUSE OF DISCRETION by  
WHEN THE COURT OF APPEALS DIVESTED ITS NON-EXISTENT JURISDICTION TO THE COURT AGAIN FAILING TO FOLLOW THE REVIEW PROCEDURE APPLICABLE TO POSTCONVICTION PROCEEDINGS

Judges  
↓ occurred

4) COURT JUDGES HERE REGARDING #1 ABOVE

5) COURT JUDGES HERE REVESTED JURISDICTION TO

(SEE NEW COMPLAINTS AGAINST COURT JUDGES)

4) ABUSE OF DISCRETION by THE COURT OF APPEALS  
WHEN THE COURT OF APPEALS ACCEPTED NON-EXISTENT JURISDICTION FROM THE COURT WHO NEVER HAD JURISDICTION FROM THE IN THE FIRST PLACE NOW REVESTS JURISDICTION BACK TO THE WHO ALSO NEVER HAD JURISDICTION

Judges  
↓ occurred

5) ABUSE OF DISCRETION by THE  
WHEN REVESTED JURISDICTION BACK TO THE COURT WHO NEVER HAD JURISDICTION FOR REMAND WHEN THE ACTUAL

Judges  
↓ occurred

Remand was for the <sup>of</sup> that the <sup>are not allowed</sup>  
to entertain remanded back to the court  
who lost jurisdiction on <sup>when</sup>  
~~the~~ <sup>with</sup> <sup>the</sup> <sup>was</sup>

6) ~~the~~ <sup>abused their discretion</sup>  
c) Abuse of discretion by <sup>Judges occurred</sup>  
when the judges vacated court 3 from a  
" to " this is the " that  
the commission must interpret as knowingly and with  
intent the <sup>Judges were aware of the</sup>  
" imposed in <sup>sentencing was not one</sup>  
the <sup>could entertain being a court</sup>  
and this disregard to due process,

the Arizona constitution and U.S. constitution denied  
his right to appeal and failed to correct this violation  
that now encompasses the public and the rest of the  
Arizona court system as distrustful, unlawful and puts a  
stain on all judges and state attorneys for allowing this to  
continue to this very day, why follow the rules when you  
can make up the rules as you feel fit when it suits you.

7) the <sup>did vacate courts 2 and 3 which</sup>  
is " , but <sup>gave the courts 20 to 30 opportunities</sup>  
to correct this error. But, they chose not to, and  
sentences were discharged , but it's still  
in prison.

8) the <sup>court vacated courts 1 through 4 on</sup>  
but did not have jurisdiction to resentence <sup>on</sup>

THEREBY, HAS BEEN KIDNAPPED BY THE  
 SINCE SPECIFICALLY ; WHEN THE  
 COURT JUDGE ISSUED A WRIT OF HABEAS  
 CORPUS TO RETURN FOR RESENTENCING WITHOUT  
 EVER OBTAINING JURISDICTION A.R.S. § 13-121  
 AND DID NOT FILE A WRIT OF HABEAS CORPUS  
 FOR ON TO RETURN ; TO  
 COURT FOR AN ALLEGED RESENTENCING WHEREAS THE  
 COURT NEVER OBTAINED JURISDICTION TO  
 RESENTENCE THEREFORE, HAS BEEN HELD  
 AGAINST HIS WILL I.E. KIDNAPPED

a) I UNDERSTAND THAT " CANNOT BE REVOCKED  
 IN ANY FORUM (VACATING COURTS 2 AND 3 BY THE  
 AND SINCE MY SENTENCES FOR COURTS 1.  
 AND 4 HAVE BEEN FULLY SERVED."  
 FROM IS " MY QUESTION/COMPLAINT  
 TO THIS COMMISSION IS WHEN VACATED  
 COURTS 1 THRU 4 ACCORDING TO THE OFFENDER  
 (ASSISTANCE) AND DOES THIS VACATING OF  
 COURTS 1 THRU 4 WITHOUT OBTAINING JURISDICTION TO  
 EITHER VACATE AND/OR RE MODIFY / RESENTENCE  
 ON ; FROM A REMAND ORDER FROM THE 12:  
 GO AND FROM  
 A LIMITED JURISDICTIONAL COURT THAT NEVER SHOULD HAVE  
 ENTERTAINED AN APPEAL WHEREAS THE STATE COURT HAS  
 JURISDICTION OVER FROM THE COURT.  
 SO, I'LL JUST RAISE THE COMPLAINT AGAINST JUDGE  
 FOR ABUSE OR DISCRETION FOR FAILING TO VERIFY JURISDICTION

From the court and practice to follow  
and case 13-121 to obtain jurisdiction. Once  
he vacated counts 1 thru 4. The judge  
did have jurisdiction to modify or rescind  
and especially not obtaining jurisdiction  
once the court lost jurisdiction  
and after 1 year  
had past from to give to the  
10 days prior to any action instituted  
by the court. Since counts 1-4 were  
vacated has never been sentenced and has been  
kidnapped / held against his will since the  
director of has been notified, the and the  
court is review this matter, all in