

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-144

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Judge:

Complainant:

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**ORDER**

September 29, 2023

The complainant alleged a superior court judge showed bias, collusion, and prejudicial behavior in trying to coerce a plea agreement.

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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 29, 2023.

2023-144

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.

I'm bringing the following judicial complaint against Judge \_\_\_\_\_  
for violations of the Rules of the \_\_\_\_\_ of Arizona, Rule 81  
Arizona Code of Judicial Conduct including bias, collusion and prejudicial behavior  
in regards to cases \_\_\_\_\_ and \_\_\_\_\_ the STATE of Arizona v.  
\_\_\_\_\_ It's my sincerest hope the commission will fully investigate,  
including court records and recordings, the accusations I'm bringing forward and  
rectify the situation it has brought about.

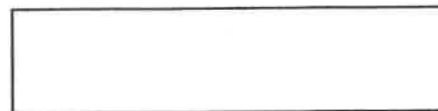
In \_\_\_\_\_ of \_\_\_\_\_ I appeared before Judge \_\_\_\_\_ at a status conference  
were I turned down a plea agreement. She seemed irritated by this and told me, to my  
shock, that by turning down the plea that I " \_\_\_\_\_ " This  
comment constitutes a violation of Rule 81, 2.3(B) "A judge shall not, in performance of  
judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment."

In \_\_\_\_\_ of \_\_\_\_\_ I appeared before Judge \_\_\_\_\_ at a hearing for a motion  
for change of counsel to replace \_\_\_\_\_ I brought multiple violations of  
Rule 42 to Judge \_\_\_\_\_ attention including a severe lack of communications  
and failure to produce documents I'd been requesting since \_\_\_\_\_ of \_\_\_\_\_. Instead of  
awarding me new council she accepted my lawyers lies without any proof or documentation.  
It didn't and there. Before the hearing was over she began to chastise me for wanting  
new council, ranting biasly about what a great lawyer \_\_\_\_\_ is and what  
a great job he'd done multiple times in her court room for other clients. She ended  
her speech by telling me in a vindictive tone that if I felt I wasn't getting "  
of behavior I began to see as Judge \_\_\_\_\_ " This was the begging  
acting collusively with her.

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

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to allow his negligence to undermine my due process rights and accelerate my case to settlement or trial. Additionally, her comments constituted a violation of Rule 81, 2.3(B) but also Rule 81, 2.15(D) "a judge who receives information indicating a substantial likelihood that a lawyer has committed a violation of The Rules of Professional Conduct shall take appropriate action."

In \_\_\_\_\_ of \_\_\_\_\_ I appeared before Judge \_\_\_\_\_ for a settlement conference. When the conference started I was taken aback by the Judge's behavior as she came off the bench, offered me water, and was quite cordial which was not her usual demeanor. She started the conversation by stating that as my judge she was supposed to remain "impartial" but then continued to be anything but as she tried to coerce me into signing a \_\_\_\_\_ year plea bargain. At one point she told me "

"If this wasn't enough she allowed \_\_\_\_\_ the attorney general's prosecutor, say to me"

"This vindictive and unprofessional behavior violated Rule 81, 2.3(C) "a judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engage in harassment..." After that I tried to reiterate to the judge that \_\_\_\_\_ services were still ineffective but she dismissed my allegations and stated she'd not permit anymore continuances in my case. Those prejudicial actions further confirmed my suspicions of collusion, including another violation of Rule 81, 2.3(B), Rule 81, 2.15(D), and also Rule 81, 2.2 "a judge shall uphold and apply the law and shall perform all duties fairly and impartially" and lastly Rule 81, 2.6(B) "a judge may encourage parties to a proceeding and their

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Comisión de Conducta Judicial de Arizona  
1501 W. Washington Street, Suite 229  
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**SÓLO PARA USO DE**



**QUEJA CONTRA UN JUEZ**

Nombre: \_\_\_\_\_

Nombre del juez: \_\_\_\_\_

**Instrucciones :** Utilice este formulario o papel normal del mismo tamaño para presentar una queja. Describa en tu propia palabras, lo que usted cree que hizo el juez que constituye una mala conducta judicial. Sea específico y enumere todos los nombres, fechas, horas y lugares que ayudarán a la comisión a comprender sus preocupaciones. Las páginas adicionales pueden adjuntarse junto con copias (no originales) de los documentos judiciales pertinentes. Complete una cara del papel solamente, y guarde una copia de la queja para sus registros.

lawyers to settle matters in dispute, but shall not coerce any party into settlement."

In \_\_\_\_\_ I appeared before Judge \_\_\_\_\_ for a motion for change of  
council hearing. Upon entering the courtroom I noticed my attorney was not present and one  
of his associates was standing in his place. When the proceeding started the judge asked why  
I was seeking new council. I stated I had a statement prepared from a bar complaint  
I filled against \_\_\_\_\_ the day before. As I began to read the first sentence of my  
complaint which contained almost a dozen violations of Rule 42 Judge  
interrupted me in a irritated tone and asked "

?" to which I replied " "She instantly waived her hand at  
assistant and asked him to bring her the statement. She quickly scanned the first couple  
pages then stopped and said that these were " \_\_\_\_\_ "against  
and that she would reschedule another hearing for \_\_\_\_\_ for him to  
be present. By not allowing me to read my statement Judge \_\_\_\_\_ violated Rule 81,  
2.6 (A) "A judge shall accord to every person who has a legal interest in a proceeding, or that  
persons lawyer, the right to be heard according to law." Additionally, by the judge allowing my  
council to not be present and then rescheduling the hearing because in her own words I "

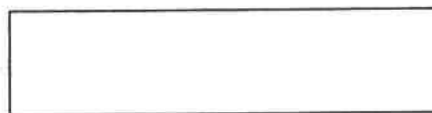
'further corroborates my allegations that Judge \_\_\_\_\_ was acting in  
collusion with \_\_\_\_\_ . She had no intensions of granting me new council that day no  
matter what I said and by giving \_\_\_\_\_ another opportunity to appear before the court  
only shows her support of his malfeasance and ineptness as my defense council.

Finally on \_\_\_\_\_ I appeared yet again in front of Judge \_\_\_\_\_ for the motion  
for change of council. This time when I entered the courtroom \_\_\_\_\_ and both  
prosecutors were in front of the bench jiding and laughing with the judge. As the proceeding  
started Judge \_\_\_\_\_ again asked why I was seeking to change council. When I

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told her that I'd like to read my statement before the court she told me " When I simply asked " ?" she yelled from the bench " I was taken aback by her outburst but responded that I felt my due process rights were being infringed. When she asked why I felt that way I tried to pivot back to the bar complaint but she refused to hear it. So I mentioned that had failed to communicate with me about the scope I wanted to take the case, had failed to file a single motion in my defense, including hiring an investigator to examine the evidence against me, a mitigation specialist and a full psychological evaluation to address my serious mental illness issues all of which I had been asking for him to do since After stating all of this all she did was look at the prosecutors and ask " the prosecutors nodded yes, and she looked back at me and stated "

" When I asked how it could be taken into consideration when no doctor had formally evaluated me she simply looked back at the prosecutors, asked the same question then looked back at me and said "

" I stood in utter disbelief as she began to address as if he was the victim, asking him if he could still perform as my council. Next, the prosecutors chimed in saying my only motive for bring about the change of council was to "

" meaning delaying the case from settlement or trial. I listened in shock as the judge agreed repeating the prosecutors statement then stating she could not judge whether had violated Rule 42 but almost within the same sentence contradicted herself by dismissing one by one each violation I had alleged and then concluded the hearing. Her actions again violated Rule 01, 2.6(A), Rule 01, 2.3(B), Rule 01, 2.3(C), Rule 01, 2.2, Rule 01, 2.15(D) and lastly Rule 01, 2.0(B) " A judge shall be patient, dignified and courteous to litigants... and shall require similar conduct of lawyers, court staff, court officials and others subject to the judges direction and control.