

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-197

Judge:

Complainant:

ORDER

October 24, 2023

The Complainant alleged improper legal rulings by a superior court judge hearing a civil dispute.

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, Delia R. Neal, and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 24, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-197

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 to email:

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COMMISSION ON JUDICIAL CONDUCT

STATE OF ARIZONA

COMPLAINT

Plaintiff,

vs.

RE:

AND ASSOCIATED
CASES

JUDGE

Defendant

FAILURE TO APPLY LAWS AND
PROTECTIVE ORDERS FAIRLY AND
DILIGENTLY

Pleading Title

JURISDICTION

Under Arizona law, judges, county attorneys, and law enforcement officials are required to apply protective laws and court orders impartially and diligently. Judges have a legal duty to apply and ensure that valid protective orders are enforced, while law enforcement officers have an obligation to enforce these orders and other laws impartially and diligently. Public Officials have a shared responsibility to adhere to ethical standards and the law while carrying out their respective roles in the legal system.

INTRODUCTION

DEFENDANT'S NAME - 1

1 and his family have been residents of , Arizona for over
2 years. The are well known for their high-profile political activism and support for
3 religious freedom, racial equality, education and legalization of and Medical
4 Marijuana since , founded the over years ago on the belief that
5 cannabis, hemp or marijuana by any name is a gift from God.

6
7 Judge was appointed to the Court () in
8 by Governor . Judge appointment came the same year
9 founded the and with the help of his friend and neighbor
10

11
12 In of the County Attorney's Office () hired
13 as a criminal prosecutor. This was the same year ran for of the
14 with , who authored Proposition . This law legalized medical marijuana use and
15 cultivation in the State of , and that put a bright retaliatory political spotlight on the
16 family in County.

17
18 In of of Arizona voters approved Proposition (the "
19 '), a drug policy reform initiative that contained a
20 provision allowing physicians to prescribe cannabis for certain debilitating or terminal illnesses
21 and requiring probation rather than jail for nonviolent personal drug users.

22
23 Governor immediately repealed that law and was privately and
24 publicly very critical. Governor sabotage of Proposition and forced
25 citizens to take the initiative to pass the Voter Protection Act of with a voter margin.

26 However, retaliation for support of these voter approved laws did not stop after Governor
27 went to federal prison. Governor fought legalization of medical
28

1 marijuana for seriously ill patients in _____ and lost her “_____” in
2 federal court, as did _____ County prosecutor “marijuana “_____” in _____ (_____
3 _____).
4 _____ created a special position and appointed Judge _____ as the first
5 _____ Judge of the _____ Court on _____. This was
6 _____ months before Arizona made medical marijuana history. _____ and his family were very involved
7 in passing the Arizona Medical Marijuana Act of _____ (AMMA) and language and passing of
8 the AMMA and the Safe and Smart Act of 2020 that expanded medical use for all adults.
9 Governor _____ also publicly and vigorously opposed the will of the voters and these very
10 popular laws.
11

12 _____ was a criminal prosecutor from _____ until his appointment to the
13 _____ Court in _____. Governor _____ appointed _____ as Chief Presiding Judge of
14 _____ in _____ to the present day.

15 _____ Governor _____ appointed _____ to the _____ in _____ after several
16 years of working with Judge _____. Governor _____ appointed Judge
17 _____ to _____ in _____ of _____.
18 _____ Governor _____ appointed Judge _____ and Judge _____ to the
19 _____ Court _____ on _____, on the last day of his term. _____

20 _____ sent thousands of people to jail and prison on marijuana charges and
21 was involved in millions of dollars in real estate and personal property seizures with a wide
22 range of discretion to charge, seize and sentence people and property.
23

**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.**