

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-223

Judge:

Complainant:

ORDER

September 29, 2023

The complainant alleged improper legal rulings and denial of rights by a superior court commissioner hearing 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 member Barbara Brown did not participate in the consideration of this matter.

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

2023-223

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 ~~regard~~ regard to case number _____
VS The State of Arizona, in the jurisdiction of _____
Court, _____
AZ, _____ Honorable Judge _____ Violated
Several rules of The Arizona Code of Judicial Conduct
within her chamber.

These violations include Canon 1, Rule 1.2; Canon 2, Rule 2.2;
Canon 2, Rule 2.4; Canon 2, Rule 2.8, Canon 2, Rule 2.12; and
Canon 2, Rule 2.15.

The undignified behavior of Honorable Judge _____
occurred on the dates of _____;
and _____ The following events showed the
true impropriety of this court, as well as her willful
and persistent failure to perform her judicial duties.

Starting at my bond reduction hearing,
I shared with Honorable Judge _____ that on the
date of my arrest for the charges associated with this
case that I was pregnant. While being processed through
intake, in the custody of _____ Sheriff's
Office, I began severely hemorrhaging and suffered a
miscarriage. The _____ Sheriff's Office then
proceeded to provide me with a trashcan to dispose of
my baby in. The _____ officer who stripped me out into
orange and signed off on my property bore witness to
this horrific event. I then proceeded to explain to the
Honorable Judge that if I were to bond out of jail, I'd

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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.

be leaving the facility in a white paper Suite due to the fact that my clothes were completely soiled with blood from my miscarriage. I stated this to the judge between three and four times, and each time she ignored me. Since I was in the custody of _____, I had no one outside of the facility to express my concerns of the tragic incident I experienced, as well as the misconduct of _____, except Honorable Judge _____. In her negligence, I believe she violated both Rule 1.2, promoting confidence in the judiciary, and Rule 2.6, which ensures my right to be heard.

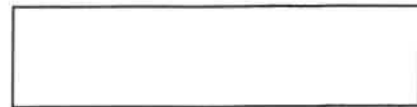
Though my concern was not in reference to my charges, my miscarriage was a direct result of my arrest and the abuse placed upon me by _____ Honorable Judge _____. had an ethical and moral responsibility to at least acknowledge the fact that _____ produced a trashcan for me to miscarry in. Immediately, my trust in the Judge diminished.

On _____ during my hearing, I shared with Honorable Judge _____ that I did not understand my plea agreement, nor did I understand my charges. To remain in accordance with Rule 2.6, Comment 2, Section 2, Honorable Judge _____ ordered my attorney, _____, to visit me at _____ to explain the ARS codes related to my case to me so that I could understand my plea. The parameters of Rule 2.6 include that it is the Judge's responsibility to ensure that all involved, including the defendant, are relatively sophisticated in the legal matter being presented.

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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.

Based on my recorded background of illiteracy, the judge knew that adhering to this was a necessity to move forward with the case. She gave _____ one week, until _____, to properly explain my charges in their entirety to me. (Due to _____ lack of proper counsel, even prior to this event, I had filed for change of counsel several times, each time denied). To correlate with the proper explanation of my charges, the Judge also ordered the Prosecutor, _____, one week to collect and bring all evidence relating to my case ending in _____ to the following hearing. At my final court hearing on _____, Honorable Judge _____ final and worse violations of the Arizona Code of Judicial Conduct occurred.

During this hearing I shared with the Judge that my attorney never visited me to explain my charges, the associated ARS codes, and for a plea agreement to me. I shared with her that I did not understand my plea agreement and that _____ had simply directed me to sign it because I only had that day to and if I did not I would be sent to trial. I did not realize that I had signed guilty for certain charges until the Honorable Judge began stating the charges and that is when I immediately expressed my concerns to her in their entirety. She then verbatim stated, "

Prosecutor _____ also did not follow the Judge's previous directives to provide all evidence against me.

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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.

Within the moments of the Honorable Judge stating that she would not sentence me due to her concerns, picked up his cell phone and typed a message to the Judge. After reading the message Honorable stated "

The above incident was in violation of Rule 2.4: inappropriate external influences on judicial conduct under Section C. Your Honor actively conveyed the impression that another person was in a position to influence her.

Also, the comment the Honorable Judge made pertaining to no longer needing to provide the evidence against me brought into question her integrity. This action violated Rule 1.2, Comment 3.

Honorable Judge also became in violation of the very rule she attempted to avoid breaking at my hearing on this was Rule 2.6, as she did not properly accord to me, whom of which held much legal interest in this case. Under the same rule, Comment 2, Section 2, I was never given the chance to be relatively sophisticated in this legal matter. As Honorable Judge knew, my attorney never came to see me in order to inform me.

under Rule 2.15 - responding to judicial and lawyer misconduct - Section B and D, Comment 1 and 2, Honorable Judge ignored the known misconduct of my attorney, whose actions and short comings raised substantial question

CONFIDENTIAL

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

FOR OFFICE USE ONLY



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.

of his honesty, trustworthiness, and fitness as my attorney. Thus, raising the same substantial question of her as a judge.

Finally, at the end of my sentencing (. . .) I stated that I would like to file for post conviction relief. At the time, I did not understand that that was not the time to make this request. Instead of being given proper direction, both _____ and _____ began hysterically laughing at me. This behavior was rude, undignified, unprofessional, and uncourtous. Honorable Judge _____ took no action of correcting the behavior and conduct of her chambers or of the court officials under her direct control.

This incident alone violates Rule 2.8, section B and Rule 2.12, section A and C. It is the responsibility of the judge to require order and decorum in all proceedings before the court. This includes courteous and dignified conduct of lawyers, court officials, and others with whom the judge deals with in an official capacity.

Within my complaints it is made clear that Honorable Judge _____ has not observed several principles of judicial ethics. Thus, causing her to fall very short of the ethical standards that all judges are held to.

My complaints are not against my sentencing, but of the events and conduct that occurred within the courtroom of Honorable Judge _____ her partial and dishonorable behavior displays the full impropriety of her court.

From _____ until present time, I've requested

**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.**