

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-279

Judge:

Complainant:

ORDER

August 28, 2023

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-279

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 am a citizen and I seek justice for the public. I am aware that a complaint has already been filed in this case against Judge _____

It is my desire to include this attached information to be in conjunction with the complaint filed against Judge _____ in _____ by _____

_____ in order to make complaint to be as detailed and complete as possible. I only do this as a citizen of the public who is aware that Judge _____ subverted justice

Executive Director
ARIZONA COMMISSION ON JUDICIAL CONDUCT
Suite 229
Phoenix, Arizona 85007 - 3227

Dear _____,

This additional information pertains to the ongoing complaints that have been filed against Judge _____ and Judge _____.

In addition, I wish to emphasize the critical importance of disciplining all judges who are complained against, who violate any rule of the Arizona Code of judicial Conduct. A deterrent must be maintained to prevent this misconduct.

In the event these rules are broken with impunity, then false judgments proliferate and the public suffers exponentially,

A recent filing with the _____ Court in the case of _____ is attached. This case highlights what happens when judges do not obey the clear and codified rules, which are required to be obeyed. All of the false judgments and damages cited in this material should have been avoided, including the false conviction of _____,

_____ had Judge _____ and Judge _____ simply obeyed the code rules.

This Commission get over _____ complaints per year against judges. At least _____ of these Complaints are because a judge made a wrong decision because he or she violated at least one rule of the Code of Judicial Conduct. Nothing in the code requires that only complaints of a "Not Appellant" nature can be considered for discipline. The Commission's purpose is to maintain the highest quality of judgments, and to reduce appellate workload, which has failed, because judges break these rules. All courts are only as good as the judges who run them, and Arizona must dramatically repair this negative syndrome.

I certainly do look forward to proper Commission action on these two complaints, one against Judge _____ and the other against Judge _____ as a new prototype, so that Arizona's "broken judicial system" can be fixed and reliable.

I ask that all of this material be presented to the entire commission membership, as to full disclosure of the overall scope and malfeasance at hand.

This letter and attachments are also presented to the legislature.

Respectfully, 

Phoenix, Arizona
Hand Delivered

Dear _____,

Other things have developed since we last talked. There are serious flaws in the judicial system that must be fixed to repair a very broken Judicial System.

Please see: attached:


- (1) Letter to Arizona Commission on Judicial Conduct.
- (2) Filing to the _____ Court, and a copy given to the Commission on judicial Conduct.

I consider this to be of such vital concern that I would like to meet with the _____ Chairman to the end of reviewing / revamping both the Arizona Commission on Judicial Conduct, and also, the _____

. Both of these entities are under the _____ Court do discipline all judges and lawyers, but such discipline does not happen, so the system is horribly broken.

If you have another suggestion, please let me know. Also, as shown in the filing with the _____ Court, there is a huge need for prison, sentencing and rehabilitation reform, the lack of which is costing the State of Arizona over _____ billion per year, which I can immensely help with, beginning with a state land transaction, as disclosed but not fully elaborated on as to the damage settlement.

The bottom line is this: The State of Arizona will end up paying nothing as to the "damages" stated in this document, which are about _____ million. This can mostly to be paid by relinquishing some State Land, and along with that, the State of Arizona will actually gain about half a billion per year, in terms of reduced and wasted prison warehousing costs, for minimum and medium security inmates who do not belong there. If possible, I would like to have an appointment with you to provide additional detail.

Respectfully, 

SUMMARIES OF JUDICIAL DISCIPLINE DECIDED BY THE

COURT

In years, only Judges have received any discipline. **None** of the discipline is for activity that causes false judgments, as prohibited by numerous code rules, as exhibited by Judges and , now complained of. **This** is the most devastating damage, which injures the public the most. Under these circumstances, the Commission on Judicial Conduct is a detriment and not an asset to the State of Arizona, and is the opposite of the intent of the constitution, which is further explained in the attached filings to the court on .

In re .

The court **censured** a judge for entering ex parte orders favoring her court clerk in a matter assigned to another judge. The judge also made inappropriate remarks while sentencing a criminal defendant.

In re .

After the judge was convicted and fined in , for possession of , the Court held that the judge committed a crime punishable as a felony under Arizona law and **suspended** him without pay for

In re .

The court **suspended** a judge until the end of his term in office for using a racial slur about a defendant and for using vulgar language in court.

In re .

A judge was **suspended** without pay for days for failing to render decisions in cases within days from the date the matters were submitted. he also falsely stated he had no causes under advisement for more than days.

In re .

The court **censured** a judge who violated the canons barring a judge from practicing law, or receiving compensation or reimbursement for expenses for extra-judicial activities.

In re .

A judge was **censured** for improper political activities, failure to correct inappropriate behavior of a pro tem judge, participation in another judge's political campaign, and use of court stationery to threaten a police officer.

In re

The court **suspended** a judge for months for losing his temper and shouting at attorneys, litigants and court staff. The judge engaged in ex parte communications and made inappropriate comments to female attorneys.

In re

A judge was convicted in court for filing false tax returns and currency transactions in violation of federal law. The judge resigned before the Commission filed a recommendation with the court to remove him.

In re

A judge **stipulated to a censure** and was ordered to attend gender sensitivity training for making sexually inappropriate comments to an employee, for keeping alcohol in chambers, and for offering drinks to employees after court hours.

In re

A judge was charged with having an unprofessional or inappropriate relationship with a attorney. The judge was also charged with assaulting his wife. After a hearing recommending removal, the judge **resigned**.

In Re

A judge **resigned**. The judge admitted he failed to rule on matters within days and also admitted he submitted inaccurate salary certifications times during a year period.

In Re

A judge **stipulated to a censure** for using undignified and discourteous language during a settlement conference. The judge admitted cursing and yelling at one of the attorneys in the conference.

In re

The court **censured**, for the second time, a judge who failed to maintain patience, dignity, and courtesy with litigants.

In re

The court **censured** a judge for failing to timely rule on a petition for post-conviction relief and for submitting false salary certifications.

**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.**