

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-320

Judge:

Complainant:

ORDER

September 29, 2023

The complainant alleged a city court judge failed to give him a lawyer and violated his rights in his 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.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 320

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.

My name is _____ . I recently filled a complaint against, Judge _____ of
the _____ Court. I have expressed the issues with the court directly and they
have yet to fix them. Judge _____ allowed me to sit and literally be convicted without any
defense to assist me what-so-ever. Where a judge is required to ensure that the defendant
has a fair trial, judge _____ completely ignored my right from the commencement of this
case. Not once did he seem concerned that petitioner did not have attorney or case to
inquire about it. I asked the _____ Court for help and assistance with getting an
attorney and was ignored the entire time.

In _____ of _____ I was wrongfully charged with Disorderly Conduct. This arrest
stemmed over an issue my wife and I were having at the time regarding a vehicle.

PLEASE SEE ATTACHED PAGES

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SEE ATTACHED PAGES

JUDICIAL COMMISSION STATEMENT

Hello,

My name is . I recently filled a complaint against, Judge of the Court. I have expressed the issues with the court directly and they have yet to fix them. Judge allowed me to sit and literally be convicted without any defense to assist me whatsoever. Where a judge is required to ensure that the defendant has a fair trial, judge completely ignored my right from the commencement of this case. Not once did he seem concerned that petitioner did not have attorney or case to inquire about it. I asked the Court for help and assistance with getting an attorney and was ignored the entire time.

In of , I was wrongfully charged with Disorderly Conduct. This arrest stemmed over an issue my wife and I were having at the time regarding a vehicle.

The vehicle was sold to me and my spouse my her parents and we were told that thought I had recently lost my job, it was ok to keep the vehicle. After a disagreement about blatant rudeness in the family, potential racism and general disrespect over the years the parents then become upset and me and decided to take the vehicle back. But by this time payments had already been made and the case had been legally signed over to us. I disagreed. My wife however wanted me to return the vehicle but I disagreed. This caused division between us. So my wife decided to move with her parents. After being separated for about a week, one day out of the blue my wife comes to visit. She began to hot on the door very loud. I expressed to my wife then that if she did not calm down, I would not be able to let her in. She continued to beat on the door relentlessly. After about minutes the Police Arrived. The officer asked me though the door why I would not allow her in our home. I expressed to the officer she was far too emotional and I felt allowing her in the home would be dangerous as I did not want our children to hear her angry or wanting to fight. The officer understood and asked her to leave. My wife then calls me and starts telling me I was attempting to take her children from her when I was not. I simply wanted her to calm down. Later on it was discovered by my wife admitting the her and the PD planned for her to arrive at my home.

The plan between them and my wife was that she would come to my home, knock on the door until police had to arrive and hope they would allow her in to "see her kids". Kids I never threatened to take from her as long as she behaved like an adult in front of them and not scream and fight all the time.

The issue here however is why in the world would the Police officers help her this way but when I called they would not even tell me what was discussed. I did not find out the details of the conversation until I requested the narratives after I was wrongfully convicted.

The next day, I was viewing our phone bill and could see that there were calls to The Police Station. That concerned me as I knew I had not broken a law. I asked the officer if there were things being said about my residence and he informed me the issues were all civil and needed to be handled in court. I thanked the officer and went on with my day.

A few days later my wife called and we had a conversation. She mentioned she agreed to try and work on our marriage.

**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.**