

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-280

Complainant: No. 1321600452A

Judge: No. 1321600452B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised are legal or appellate in nature.

The commission is not an appellate court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rule 16(a).

Dated: December 3, 2007.

FOR THE COMMISSION

\g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on December 3, 2007.

This order may not be used as a basis for disqualification of a judge.

OCT 24 2007

CJC-07-280

Dear Sirs,

I have a Conviction of failure to register as a sex offender in violation of A.R.S. §13-3821, in Case [REDACTED] and currently in custody in Az. State Prison, I Consolidated this case with a recently vacated case [REDACTED] (date of Consolidation) which was Ignored by the Court - [REDACTED] is Identical to [REDACTED] and in the Same Violation of A.R.S. § [REDACTED]. The State Stated in its Concession of ERROR that it "agrees that defendant was not required to register as a sex offender," however Judge [REDACTED] (Clerk of the Court) have not been docketing my motions as witnessed in a motion to object to the States attempt to reproduce my Two prior Criminal Files - on [REDACTED] Judge [REDACTED] denied the motion stating (in the Docket Code [REDACTED]) "Defendant may raise his objections in his reply after the response is filed." I Sent a timely Response because the State was not allowed to introduce into the record

the VICTIMS Age retrieved from Court Transcripts into the record according to Schaaf, 169 Ariz. at 333-34, 819 P.2d at 919-20; as the reason for precluding consideration of evidence other than the Judgement of Conviction and the elements of the relevant offenses.... Consideration of events underlying the conviction would in effect constitute a prohibited Second Trial: Schaaf, 169 Ariz (1991). This is a clear violation of the 14th Amend. Due process clause. The State is aware of this prohibition as stated in its 'Concession of ERROR in Liew of a Response to petition for PCR in case [REDACTED] filed [REDACTED], filing the victim's Age into record to perhaps be used in the litigation of [REDACTED]. Nevertheless the reply was never filed by the Clerk of the Court, along with the motion to object to state's ATTEMPT to reproduce Defendants 2 prior Criminal files which was my response to Docketed State motion Dated [REDACTED]. I never got a ruling on my motion for Clerical mistakes filed [REDACTED] either, Rule 24.4.

I would like to know the procedure on how to file a Complaint on [REDACTED] Judge and [REDACTED] Clerk of the court.

I also would like Clarification on what I can do to stop this Prosecutorial misconduct that Obviously is out of order.

I appreciate all you can help me with and your time
Thank you and God Bless you
In advance.

Sincerely
[REDACTED]
[REDACTED]

cc: File