

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-050

Complainant: No. 1386810459A

Judge: No. 1386810459B

ORDER

The complainant alleged three superior court judges violated his rights. The commission reviewed the complaint and found that the judges acted within their discretion and there was no indication of a pattern of legal error. Further inquiry into whether each judge's decisions were legally correct is outside the commission's jurisdiction. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 23, 2010.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on April 23, 2010.

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

2010-050

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name: Proten
Judge

Date: 2/17/2010 ^{RPK}

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

On 9/8/2008 I appeared in Judge Superior Court of Mesa Arizona for sentencing and changed my plea to not guilty. (CR 2008) at that time I was ordered to participate in Rule 11 proceeding. I completed two separate medical exams and on 1/22/2009 was declared competent to proceed to trial in Commissioner Ree's Superior Court of Phoenix Arizona.

Upon return to the Superior Court of Mesa Arizona Judge informed me that I was to return in two weeks and give a statement as to "why my not guilty plea should be accepted."

When I returned to Judge courtroom on the day requested, I explained that my public defender (Ewa Lockard) and I had an ongoing conflict of interest. After hearing my complaint, Judge presiding promptly fired my defense counsel and I was excused from the courtroom to await notice of another public defender to be assigned to assist me in my defense. No such notice was sent.

On 4/4/2009 I was arrested in the driveway of the home of located within Yavapai County Arizona. The charge was Failure to Appear to a Rule 11 hearing, in the same court that I had previously been

found competent, at the conclusion of a Rule 11 examination, from the same Judge Commissioner, pertaining to same case number CR2008

I was taken from the home of my parents and transported to Yavapai County jail and eventually transported to the Maricopa County Jail System.

I appeared in the Superior Court of Phoenix, Arizona on the sixteenth of April 2009 where Commissioner Ree's found me over to future appearances on a \$9,000⁰⁰ bond. Upon the next appearance in Commissioner Ree's Court I was informed that Mesa Superior Court Judge had ordered the second Rule 11 hearing, after I had received a favorable decision to proceed to trial with no reasonable explanation given to me as to why another Rule 11 would be necessary prior to proceeding on to trial. Eventually the bond was dropped however I was not released from jail and on July 2 of 2009 appeared in Protem Judge court who issued an unsubstantiated

order of confinement in which page three second paragraph from the bottom of that page, he and public defender Reginald L. Cooke and State prosecution Attorney Juli Warzynski, unlawfully seized the medical exams from state examiners Dr. Dawson and Dr. Castle and the decree of Competency granted from Judge Commissioner Rees, thus perpetuating the forced willful unlawful detainment that was placed upon me.

On August 11, 2009 I was transported from Maricopa County Jail to 570 W. Brown Rd Mesa Arizona unit 3 on and expired petition and held there four days before appearing in the Desert Vista court with public defender Terry Hill, who informed the presiding Judge who was not from Tempe Judge.

that the state was at that time in violation of unlawful detainment. The Judge promptly dismissed me to be returned to the Maricopa County Jail System to await release. Not thirty minutes passed and another petition

was presented August 14 2009 further perpetuating my incarceration until the Twenty first of August where upon that petition was dismissed again to be transported back to the Maricopa Jail System to be released from custody.

After being transported back to the county jail twenty days passed with no explanation given to me as to why or who had put a hold on me as to prolong incarceration and not grant the previously expected release from custody of the County jail!

On the 10th of September I was transported to 2619 E. Pierce Phoenix Arizona Unit 9 on yet another unlawfully substantiated petition.

I was detained until the 18th of September when another petition was presented again perpetuating forced willful unlawful detainment upon my person.

On the twenty fifth of September they transported me back to courtroom of 570 W. Brown Rd Mesa Arizona, where

I was surprised to find Pro Tem of Phoenix Superior Court presiding. After no sustained lawful evidence was produced in accordance established procedures and rules of court that due pertain to my case. Pro Tem assigned a provider to carry out his signed Court ordered treatment program.

I was after that eventually released after being transported back to the previously noted 2619 E Pierce Phoenix Arizona Unit 9 Express, and was released on October 16, 2009.

An Appeal to the treatment order is now in process. The public defender handling the Appeal is Deputy public defender Cory Engel.

I believe that due to the unlawful persistence of Pro Tem Judge perpetuating the unlawful detainment and then signing an Order of Treatment based on reports of accusations and allegations that are not in anyway substantiated with any substantiated previous or current documentation, could be interpreted reasonably as substantiated Attempted Murder.

if not assault with intent to
commit great bodily harm.

Thank you for your consideration,
Commission on Judicial conduct
of the State of Arizona
in the filing of criminal complaints
of Judge
and Pro Tem Judge
on my behalf.

Sincerely /