

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 10-236

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Complainant: No. 1400910650A

Judge: No. 1400910650B

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**ORDER**

The complainant alleged that a superior court judge improperly denied his motion to modify release conditions. The commission reviewed the issues and found no evidence of ethical misconduct on the part of the judge. Court rulings are within the discretion of the judge and outside the jurisdiction of the commission. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: October 29, 2010

FOR THE COMMISSION

/s/ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on October 29, 2010.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY****2010-236****COMPLAINT AGAINST A JUDGE**

Your Name:

Judge's Name:

Date: 9/14/10

**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.

Hearing on 9/9/10:

Judge \_\_\_\_\_ denied motion for modification of release conditions. I, \_\_\_\_\_ Jr. am being held on 3 counts plus a probation violation now incarcerated for just over 90 days. Case # 2010 \_\_\_\_\_. The court should allow disqualification of probation violation on the grounds: I, the Defendant was eligible at 18 months 4/2010, having fulfilled and completed terms including payment of restitution in full, completion of counseling with certificate, paid and current with monthly probation remaining fully compliant staying out of legal trouble for two years since beginning probation sentence. Having been employed and attending college at time of arrest. The Plaintiff's or Plaintiff which is my mother has affirmed her non-interest to pursue prosecution. The county attorney working my case seems to believe my parents will stand trial to have me sent to prison? I do believe the county attorney is falsely stating this; due to having been contacted by family, warning me not to enter into a guilty plea also affirming my parents were not pursuing charges. The wait until trial date is over 60 days. To await trial 5 months for a likely dismissal is unlawful. The officer's statement for count 3: UNLAWFUL FLIGHT is specious, and I am willing to defend my right.

*(Attach additional sheets as needed.)*

CONTINUED FROM 022 - JUDICIAL COMPLAINT

The current appointed counselor/public defender? →  
"Bruce Walker" has taken a non-interest in my defense. Consistently neglecting to mention status helpful on my behalf from the period prior to my arrest. The case is being treated without consideration for my performance on probation, leading to completion of all ordered terms. Probation supervisor at Western Regional Center also has recommended P.O. Paul Anderson regarding discharge affirming probation release in the month of May 2010. I have prepared a motion for time served case #12008

It should be granted after review of probation file at Glendale WRC office held by Paul Anderson. Two counts M1, F6, (count's one and two) should also be dismissed at this time with prejudice as parents have affirmed they will vacate any further proceeding. The remaining count: 3 Unlawful Flight questionable if defendant was initially pursued by officer due to complaint filed prior (count: 1, 2) to alleged encounter (count: 3) that did not lead to a criminal pursuit involving a high speed chase between the defendant and officer. Defendant was not arrested nor located in the vehicle, did not possess key's to vehicle and volunteered himself into custody 6/12/10 after speaking to his parents. I find at this

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time it is appropriate to dismiss case with prejudice and discharge probation term, and request to be released at this time on my own recognizance, with no further obligation to the court, to return to previous arrangement with the Phoenix Union High School District, members Gloria Dominguez, and Jennifer Day. This arrangement involving attending college at Paradise Valley Community College to fulfill remainder credits required to receive my High School Diploma. I am experienced in Medical Records and obtained recent experience as a carpenter. I wish to become a certified Pharmacy Technician which will take 9 month's. You will find a college class schedule in my probation file. I have all receipts for payment during probation period.

I, \_\_\_\_\_, Jr. am requesting all probation records to be released to:

State of Arizona - Member / Representative  
Commission on Judicial Conduct  
1501 W. Washington Street, Suite 229  
Phoenix, Arizona 85007

9/14/10