

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-009

Complainant: No. 1294910910A

Judge: No. 1294910910B

ORDER

The complainant alleged that a municipal court judge unfairly required him to pay fees when he had no income. The commission reviewed the matter and found no evidence of ethical misconduct on the part of the judge. The complainant was incarcerated when he appeared before the judge and requested appointed counsel. The request was granted but included the standard \$275 fee for attorney service, which must be paid within five days. Whether the costs imposed against the complainant were appropriate is a legal issue outside the jurisdiction of the commission. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: April 12, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on April 12, 2011.

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

2011-009

From:

1-6-2011

TO: COMMISSION ON JUDICIAL CONDUCT

JAN 10 2011

"Complaint Against Judge _____ of City Court of
CR2010- _____ ← criminal case number.

On 11/12/2010, I _____ had requested an "indigent
"income status" form; whereby requesting for a Public Defender. Such document
was granted and all of the income questions were of "zero dollars" because
I am unemployed and have no income. I've been incarcerated since
May 8, 2010.

Enclosed with this complaint is the evidence that the Judge _____ ordered
such unfair payment of \$275.00 and also the "unfair ^{pay} date" of such appointment
which was suppose to be only 5 days after the first initial court hearing which
was on 11-12-2010, so he wanted me to pay the money on 11-17-2010 and I am in jail.

Administrator, Barbara Wanlass this is "impropriety at best and "unfair".
Please take into consideration the mitigating circumstances that I am indigent,
incarcerated since May 8, 2010, and that "B.H." ^{← on enclosed document} initials and the attorney,
_____, public defender (_____, _____, _____) at
ph # _____.

It is never good to assume, but I do not think that anyone else
is being treated this way Mrs. Wanlass. He also wants me to pay
\$200 for court cost, when I ought to get "time served" and
no probation.

I know I went a bit too far. Upon investigating this
matter; please do not "rush to judgement" the pending charges
that I have in phoenix.

Sincerely,