

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-339

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court judge, now retired, conducted a prohibited independent investigation of facts in a case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23(a).

Dated: February 8, 2017

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were distributed to all appropriate persons on February 8, 2017.

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

Comp

2016-339

To whom it may concern

It has recently come to my attention that [redacted] has once again violated the Code of Judicial Conduct. (This is being sent to [redacted] because he is no [redacted]) [redacted] was the judge who presided over [redacted] to [redacted] for [redacted]

[redacted] Thus; the [redacted] notoriously thin skinned Judge had reason to harbor animosity toward [redacted]

My [redacted]

Apparently, [redacted] violations of the Code did not cease after [redacted]

[redacted] allocation before sentencing. [redacted] The [redacted] and, not surprisingly, he [redacted] denied [redacted] in its entirety. However, before [redacted] Judge [redacted]

conducted his own research concerning facts *not* contained in the  
 regarding

These "facts" were *not* presented at trial or sentencing. It was apparent that this  
 was an act of anger, and perhaps vengeance, against not to  
 mention a way to resolve in the biased manner in which  
 wanted it to be resolved.

This conduct is a shocking violation of the Rules of Judicial Ethics, Rule 81,  
 2.9(c), which reads, "except as provided by law, a judge must not independently  
 investigate the facts in a case and must consider only the evidence presented."  
 Doing independent investigation into *factual* matters was a clear and intentional  
 violation of that rule, which I believe I am obligated to report, pursuant to rule  
 8.3.

I ask that the look into this violation of  
 judicial ethics, and proceed accordingly against who, as noted  
 above, Thank you for your immediate attention to  
 my request.

Respectfully