

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-358

Judge:

Complainant:

ORDER

The complainant alleged a pro tem municipal court judge set an improper bond amount. The complainant also alleged another pro tem municipal court judge improperly refused to appoint him counsel.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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.

The commission does not have jurisdiction to review the legal sufficiency of the judges' rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judges did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety as to both judges, pursuant to Rules 16(a) and 23(a).

Dated: February 15, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on February 15, 2017.

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

2016-358

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

_____ a warrant _____ was
issued on me. It was a misdemeanor warrant for Failure To Appear for
a Shoplifting allegation.

I appeared in front of _____ He brought allegation of
the Warrant for Failure to Appear. I did not plead. All
did was a Bond of _____ Secured Appearance Bond on me.

To me, for a misdemeanor a Bond of _____ Secured Appearance Bond is
to high of a Bond. I had no intention of missing my hearing the day it
was scheduled. It's just that I had forgotten what day my hearing was.

_____ should have considered my residency and that I do
not have money to Bond Out with. My Bond should have been at least

I was still living in vicinity of _____ the warrant came
out. I was not hiding or anything.

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I went in front of _____ for Arraignment the
_____ She read me my Rights. In which she said, "I could have a lawyer
if I needed one."

_____ later after calling some accused _____ called my name I went
in front of her. _____ told me about the Warrant. Then she brought
up the original charge, which was Shoplifting, a misdemeanor. _____ then
asked me, "how do you plead to the charge of Shoplifting?"

My plea was "NOT GUILTY." At that same time I asked _____ "I
be given an attorney in the allegation."

_____ gave me a Pre-Trial Conference of _____ Then
she said, "Since your charge is a Misdemeanor I will deny your REQUEST
for a lawyer. You can hire your own attorney, but your REQUEST for a lawyer
is denied."

To me, _____ abused her authority appointing me a lawyer. It
does not matter whether an allegation is a misdemeanor or whatever,
if a person can't hire an attorney, they suppose to be appointed an
attorney if he ask for one. Most Shoplifting are serious charges.

Thank-you