

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-026

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased in favor of the prosecution, misinterpreted the law, and abused his contempt powers in a criminal 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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, 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).

Commission member Margaret H. Downie did not participate in the consideration of this matter.

Dated: March 29, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on March 29, 2017.

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

* COMPLAINT *

THE DEFENDANT BY WAY OF UNDER SIGNED AND
FOR REASON(S) FINDS PERSONALLY THAT
IS PREJUDICE AGAINST THE DEFENDANT AND AS A RESULT
THEREOF, THE DEFENDANT CANNOT FULLY RECEIVE A FAIR AND IMPARTIAL
HEARING(S) OR TRIAL BEFORE HIS COURT.

THE CONFLICTS OF INTEREST WITH PROPRIA PERSONA
REPRESENTATION PRE TRIAL DETAINEE, WITH PRE ADJUDICATIONS OF
[GUILTY],... AND REPETITIVE USAGE OF PREJUDICE TERM [VICTIM'S]
WHEN THERE HASN'T BEEN ANY TRIBUNAL ON THE ALLEGED SEX OFFENSES
BY HIS COURT. U.S.C.A. CONSTITUTION AMENDMENTS 1 AND 14 INVOKED!

THIS LEGITIMATE COMPLAINT IS BASED ON PERSONALLY OBSERVED
FACTS IN THE PRESENCE OF NAMED JUDGE, HEREONOUT THE PRE
TRIAL DETAINEE INVOKES THE PROTECTIONS OF BOTH THE FEDERAL
CONSTITUTION'S 1ST, 5TH, 6TH, AND 14TH ALL APPLICABILITIES, AND
THE STATE OF ARIZONA'S CONSTITUTION ARTICLE II §§ 3, 4, 24, 32 AND
ARTICLE III, ARTICLE VII § 20; A.R.S. SUP. CT. RULES, RULE 51
CODE OF JUDICIAL CONDUCT RULE 2.3, BIAS, PREJUDICE, AND
HARASSMENT (A) AND (B), CANONS 1-3, RESPECTIVELY.

*** NO RETRIBUTIONS OR RETALIATIONS FROM SAID JUDGE
OR HIS CONSTITUENTS FOR FILING THIS COMPLAINT ***

THE NAMED JUDGE,

(

) FROM THE

ALSO KNOWN AS

... SAME AS THE

OF

SAID JUDGE, WHO IS

INTO THE JUDICIARY BRANCH OF JUDGESHIP. ON THIS CASE, SAID JUDGE HAS GIVEN APPEARANCES OF IMPROPRIETIES & FIRST IMPRESSIONS BY WORDS OR CONDUCT MANIFEST BIAS OR PREJUDICE, (REVIEW A.R.S. SUP. CT. RULES RULE 81, CODE OF JUDICIAL CONDUCT, RULE 2.3 (A) AND (B)), AND HIS ANTI PROPRIA PERSONA DEFENDANT DEMEANOR MUCH LIKE THAT OF ONE PROSECUTING THE CASE IN GENERAL, ABUSE OF CONTEMPT POWER AS OF

THIRICE HIS COURT WAS ASKED BY PRO-PEE MOTIONS TO:

I), REMOVE "ADVISORY" COUNSEL.

MOTIONS DENIED, AND YET AS OF

SAID COUNSEL WAS GRANTED EX PARTE REMOVAL FROM

THE CASE

TURNED OVER TO "ADVISORY"

FOR A BIASED CONTEMPT OF COURT IMPOSED AGAINST

THE PRO-PEE PRETRIAL DETAINEE. .. THEN THE

COURT NOW ASSIGNS NEW COUNSEL

(RETRIBUTION AND RETALIATIONS

FROM SAID JUDGE AND BIRSNES AGAINST THIS PRO-PEE);

II). 3 TIMES THIS VERY SAME JUDGE DENIED BOND REDUCTION MOTIONS, EVEN WHEN NEW ISSUES WERE RAISED IN THE MIS-TITLED MOTION OF SIMPSON II HEARING, THUS SAID JUDGE: DELIBERATELY MISINTERPRETED EACH MOTION FOR BOND REDUCTION TO BE THAT OF BEING DENIED BOND ALTOGETHER WHEN IT CLEARLY WAS NOT. THESE ARE BUT ONLY A FEW OF DELIBERATE JUDICIAL DENIALS IMPOSED AGAINST THE DEFENDANT AS A PROPER TO KEEP HIM FROM ADEQUATELY DEFENDING HIS CASE AS A *CONSTITUTIONAL* RIGHT TO DEFEND HIS CASE WITH OR WITHOUT COURT APPOINTED COUNSEL, VIRTUALLY ALL DENIALS WERE ON THIS JUDGE'S WORD STANDING ALONE UNSUPPORTED BY RULES, STATUTES, LAW, OR CONSTITUTIONS.

QUESTION: DOES [JUDICIAL ETHICS] ENCOMPASS A MINDSET

TO VIOLATE

FIDUCIARY STANDARDS WHEN IT COMES TO A PROPER DEFENDANT WHO IS DILIGENTLY TRYING TO DEFEND HIS CASE UNHAMPED, UNINHIBITED WHEN COURT APPOINTED COUNSEL WOULD... NOT... BUT, RATHER THEY ACTED MORE OF SECOND CHAIR TO THE STATE'S PROSECUTION THAN A PRE TRIAL DEFENDANT'S "LEGAL" COUNSEL?

IV.

QUESTION: IS IT JUDICIALLY ETHICAL TO GIVE OR LEAVE THE IMPRESSIONS AND APPEARANCES OF ONE'S

* ...^{*}, RATHER THAN STRICTLY ADHERE TO THE A.R.S. [SUP.] CT. RULES, RULE 81 CODE OF JUDICIAL CONDUCT; CANONS 1, 2, 3 AND THAT OF THE ARIZONA CONSTITUTION ARTICLE II §26 AND ARTICLE II §32, AS THEY RELATE TO A JUDGE'S, JUSTICE OF THE PEACE, MAGISTRATE JUDGE AND COMMISSIONER'S ^{*}[IMPARTIALITY]^{*} AS WHOLE WHILE IN SUCH OFFICE?

ETHICS LIE OUTSIDE THE PROVINCE OF SCIENCE, SCIENCE DOES NOT MAKE ETHICAL JUDGEMENTS.

QUESTION: IS IT JUDICIAL ETHICS FOR A

TO THE

TO CONDUCT

MANIFEST BIAS OR PREJUDICE AGAINST A PROPRIA PERSON A PRETRIAL DETAINEE, DEFENDANT AND TO [ILLICITLY], TAKE AWAY SUCH STATUS OF THE INDIVIDUAL WHO HAS NEVER BEEN LAWFULLY DEEMED AS MENTALLY INCOMPETENT TO REPRESENT HIMSELF BY ANY MEANS OR OTHERWISE... JUST LIKE HIS CASE BEING AVERRED"

DIFFERENT TIMES

?

A.R.S. SUPREME COURT RULES, RULE 81 - CODE OF JUDICIAL CONDUCT - "THE BLACK LETTER OF THE RULES IS BINDING AND ENFORCEABLE"

REFUSED TO ALLOW THE
PRO-PEP TO OBJECT ON RECORD TO THE JUDGE'S BIASED
DECISION TO REMOVE THE DEFENDANT'S PRO-PEP STATUS
AND TURN SAID CASE OVER TO "ADVISORY" COUNSEL

WHO IN TURN LEFT THE CASE UNANNOUNCED
EVEN AFTER MOTIONS TO CHANGE SAME COUNSEL WERE
PREVIOUSLY FILED YET, DELIBERATELY [DENIED] BY THIS VERY
SAME JUDGE.

IT WOULD MOST ASSUREDLY APPEAR SAID JUDGE IMPOSED MORE
VENGEANCE AT THE

HEARING WHICH AS OF
WAS TO BE FIRST AND FOREMOST [ONLY]
A COURT ORDERED SHOW CAUSE [SOLELY] AGAINST THE

ANYTHING SINCE AS TO WHY HE HAS NOT DONE
TO PRESENT. PRIOR TO

SAID HEARING, THAT WHICH ECHOED WHAT THE
COURT HAD STATED ON RECORD MONTHS PREVIOUSLY BEFORE:

(NOT PARAPHRASED)

ONE ADVANTAGE AS A PRO-PEP, YOU CAN FILE
YOUR OWN SUBPOENAS!... HOWEVER, HE [NEVER]
STATED WITH ANY SPECIFICITY AS TO WHAT... NOR, DID HE STATE
THAT, EVEN THOUGH THE STATE HAD FAILED [WITHIN THEIR
ATTEMPT TO SUBPOENA

... THAT YOU AS A PRO-PEP, YOU [CANNOT] DO SO, [OR]
YOU WILL] BE HELD IN CONTEMPT OF THIS COURT.

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**