

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-307

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge engaged in improper demeanor and attempted to coerce him to take a plea agreement 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.

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: January 10, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie

Executive Director

Copies of this order were distributed to all appropriate persons on January 10, 2018.

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

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My name is [redacted]
born [redacted]. I am
writing in reference to Case No.
[redacted] in the [redacted]
[redacted]; assigned
to Judge [redacted]. On the
day of [redacted] a [redacted] Settlement
Conference was held at [redacted] in
this case. During this hearing Judge
[redacted] made comments and took
actions that I believe to have
been less than honorable. A plea
agreement had been presented with
an open ended sentence of [redacted]
[redacted] in the department of
Corrections. Not knowing how this type
of hearing proceeds, I spoke openly
to the judge in an attempt to
explain my position. That is: that
I would only be willing to enter
into the plea agreement if I could
be assured of a sentence of [redacted].
The Judge became emotionally
upset and stated. "[redacted]"

This comment had
a disturbing effect on not only

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myself but on my Family and loved one's as well. It has served as an oppressive method by putting an incredible amount of pressure on me to enter into a plea agreement.

Being under this mental and emotional stress I was not comfortable making a decision that day. When I declined to enter into the plea the Judge then seemed to encourage the State to take the plea off the table. She again was visibly angry and set trial dates for less than two months away starting thru the in

I don't believe that this Judge is displaying a fair and neutral attitude or judgment in this case and I do not feel comfortable with her as my trial judge. My request is that the Court transcripts from the hearing be obtained and an investigation be made. I made a request to my

'to obtain the transcripts but was denied by her. She had made a comment in that same

hearing that insinuated that I am guilty of one of the charges I was indicted on and that a defense could not be made and that in trial I would be found guilty and get [redacted] in prison for. I am writing a detailed report for the [redacted] regarding that matter among several others concerning [redacted]. Thank you for your time in this matter, I pray that I will receive only what is fair according to justice and the sacred documents that govern this country. God Bless you all and God Bless The United States of America.

Sincerely: [redacted]

Contact
@ [redacted]