

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-086

Judge:

Complainant:

ORDER

July 17, 2019

The Complainant alleged a superior court judge was improperly influenced by law enforcement.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on July 17, 2019.

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

2019-086

COMPLAINT AGAINST A JUDGE

Your Name: _____ Judge's Name: _____ Date: _____

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times, and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

Pursuant to Rule 81 Judicial ETHICS CANON (1)(2)(3) and (4) Judge
Code of CONDUCT Part 1. Judicial Branch Administration Chp(1) and (2)
Section(9) provision of the Code apply to all judges.

Judge _____ shall not convey or permit organizations _____ Police Dept-
Jurisdiction to influence her position as judge. On _____ exhibit(s)
gun in question exhibit (1) undetermined for years _____ Jurisdiction withheld
for years evidence entered in a public trial UNKNOWN TIME STAMP exhibit (1)
gun in question. Later discovered Judge _____ granted and transferred
exhibit (1) time extension violating Rules of the Supreme Court Rule 2.5
Competence, Diligence and Cooperation requirements UNNECESSARY cost and
delay. See ARTICLE 2 § 11 of the ARIZONA CONSTITUTION requires Exhibits and
timeline of events _____ "without delay.

See Rule 91 Rules of the Supreme Court A.R.S. § 12-128-01 In addition
A.R.S. § 11-424-02(A) prohibits a justice of the peace from unnecessary delay
or any type of compensation

Judge _____ Conduct of TRIAL NONDISCLOSURES Exhibit (1) gun in
question UNKNOWN TIME STAMP items examination and tested by Judge _____
_____ ORDER DNA buccal SWABS _____ unknown timeline of
exhibit (1) UNKNOWN TIME STAMP PPD-Jurisdiction' - _____

ATTACHED PGS

(Attach additional sheets as needed.)

ON Requester submitted Jurisdiction not satisfied NOTICE to produce
DVD recording GAP (FTR) unknown timeline of events and exhibits by
certified mail to: City Mayors OFFICE, MANAGERS OFFICE and PEACE OFFICER
STANDARDS & TRAINING BOARD, If no legal cause is shown within 1 days for the
altered contents and timeline of events DISCHARGE OF PRISONER pursuant to A.R.S. §
13-4131; 13-4132.

Pursuant to A.R.S. § 13-2809 altering in any way, shape, form or fashion Public
Records by ARIZONA Rule of Evidence 901 (a) STATE v. LOVERS 168 ARIZ 376, 814, P2d.
333, 343 (1991) to satisfy the requirement of AUTHENTICATING or IDENTIFYING an item
of evidence.

The goal of tampering with evidence is usually to cover up a crime.

The U.S. GOVERNMENT takes tampering with evidence very seriously. A person
who is CONVICTED of the crime under federal law may face a prison sentence of
not more than 20 years, a fine, or both (18 U.S.C. § 1519)

When police confiscate or destroy a citizen's photographs or recordings of OFFICERS
MISCONDUCT, the police's ACT of altering evidence maybe prosecuted as an act
of evidence tampering, if the recording being destroyed, altered, concealed in
any way are potential evidence in a criminal or regulatory investigation of the
officers themselves.

The Jurisdiction acting under the color of STATE LAW A.R.S. § 39-121 deprived plaintiff
of INDIVIDUAL RIGHTS for over [redacted] plus secured by the 4th 5th 6th and 14th
Amendments U.S. CONST GUARANTEED DUE PROCESS.

Excessive delay to performance of official duties TOWNSEND v. MOYA, 291 F.3d. 859, 861 (5th Cir 2002). - Jurisdiction received certified mail attached #

DEPT FORM #
more than sufficient to trigger the inquiry after only months. See U.S. v. BEAMON, 992 F.2d 1009, 1013 (9th Cir 1993). The delay was unjustifiable. It was

1) The length of the delay - In DOGGETT v. U.S. 505 U.S. 647, 651, -52 (1992) held that a delay approaching one year is presumptively prejudicial. In the instant case, the delay has continued on over plus, to trigger the INQUIRY.

2) The cause of the delay - "this violates DUE PROCESS."

The City of Police Dept OPERATION ORDERS § 7.4 INTAKE BOOKING PROCEDURE in question DVD recording GAP (FTR) 00:01:11.774 UNKNOWN TIME STAMP exhibits § 8.1 requirements.

STATEMENT OF FACTS

On correspondence Jurisdiction officer radio log for from:
POSITION: after fourth request(s) discovered TWO INTAKE
BOOKING NUMBER(S) in a criminal case correspondence
discovered Report DR# radio log for

On Requester Public Record Request(s) Report DR
deleted Report DR# and DR DVD (GAP).

ON _____ Requester after _____ years plus pursuant to A.R.S. § 39-121
certified mail article# _____ received delivery _____
Jurisdiction Code Enforcement Unit _____ ; Requester received DVD recording
GAP(FTR) item# purchase# _____ ON _____ unjustifiable delay.

The Requester/Plaintiff is still without Timeline of events and Time stamp exhibits(1);
recording GAP (FTR), paid for items.

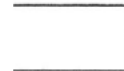
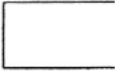
Judge _____ permitted the Jurisdiction _____ to
influence her position as judge can now be questioned about the FACTS
and TIME STAMP exhibits and unknown DVD recording GAP (FTR).

Under Canon (1) (2) (3) and (4) Judicial duties evidence entered in
a public TRIAL unknown timeline sequence - set forth,

DISCHARGE OF PRISONER TITLE 41 § ARIZ. R. CRIM. P 37 (1) (2) (3) (4) and (5)

in the _____ Court _____ County, case # _____

CERTIFICATION of COMPLIANCE, PROOF OF SERVICE; WAIVER; CERTIFICATE OF
SERVICE and VERIFICATION submitted: _____



RE: - - Video Evidence

Dear

I enclosed the video evidence that sent me. I did not view the video in my computer. He has requested the complete original video tape evidence for with the timeline. When I went to for a copy of the video evidence, they told me there was no time stamp on the video. Usually the videos I had reviewed the past had the date and timestamp sequence. How would they know if they had not reviewed it? He has made complaints to the Department and had sent certified letters to the If this was a copy of the original, then there should be a date and time stamp sequence. Is this a redacted version of the original?

I have enclosed a letter from Mr. that explains everything further. I appreciate your help in this case.

If you need anything else, just let me know.

Sincerely,

**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.**