

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 19-196

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Judge:

Complainant:

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**ORDER**

September 25, 2019

The Complainant alleged a municipal court judge did not allow him to present evidence, did not allow him to cross examine a witness, was biased against him, and made erroneous rulings.

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).

Commission member George H. Foster, Jr. did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 25, 2019.

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

FOR OFFICE USE ONLY

2019-196

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.

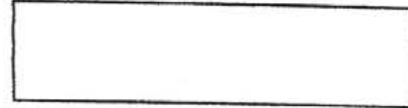
on at  
Court denied me  
my due process rights by not allowing me to enter  
any evidence, stating because I refuse to be sworn in and  
testify for my defense that I could not submit any evidence  
I am a , a I do not swear.  
I affirm. Also nowhere in the A.R.S., the Arizona  
Constitution or the de Jure Republic Constitution does  
it state that a defendant cannot submit any  
evidence for his/her own defense unless they are sworn  
in. See attached reporter's transcript of proceedings

was bias against me and did not  
allow me to properly cross examine the witness - see  
the value in this case exceeds and I requested a jury trial  
which is my constitutional right provided by both the Arizona &  
de Jure Republic Constitution of 1787, I was ignored and my constitution  
right was violated. when was questioned about  
jurisdiction she stated that the court has jurisdiction over  
Class 3 misdemeanor but failed to state how this court has  
actual personam jurisdiction and subject matter jurisdiction.  
Jurisdiction was never proven. see page  
violated the A.R.S. which has no enablement in law regarding  
A.R.S. 28-3481 & 28-3151 by not exactly checking to see if the drivers  
license was actually suspended, driver license was stolen and replaced  
which was reported to police not suspended which is why it  
doesn't say reinstated. see page

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on or about  
denied my motion to dismiss  
without giving any reason see  
Transcript dated  
A judge ceases to sit as  
a judicial officer because the governing principle of administrative  
law provides that courts are prohibited from substituting their  
evidence, testimony, records, arguments, and rationale for that of  
the agency. Additionally, courts are prohibited from substitut  
ing their judgement for that agency. Courts in administrative  
issues are prohibited from even listening to or hearing arguments,  
presentation, or rationale " see  
called the  
police on me see page  
before the proceeding  
concluded got up and walked out once  
asked if she was an administrative or judicial officer.  
see page order that  
the state needs to prove jurisdiction but stated that  
she wasn't going to make them nor did she at the  
hearing on see attached if  
the order.



The defendant's Motion to Dismiss for Constructive Fraud is **denied**. Further, the court finds that the defendant's [redacted] for [redacted] including the [redacted] oath of office, and insurance/contract bonds, is not supported by Rule 15, Ariz.R.Cr.P. In addition, the items sought by the defendant are not relevant to the pending charges. The request for production on those items is **denied**. The defendant has indicated that he will forward the requisite payment for a copy of the body camera video to the prosecutor's office. The prosecutor's office will then provide a copy of the video to the defendant. The parties shall complete this process no later than [redacted] and update the court in writing that the order is satisfied. Finally, proof of jurisdiction is an element that must be proven by the state during the presentation of evidence. That issue will remain under advisement for the time of trial.

The court affirms the trial date in this matter for

**In The Matter Of:**

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*Reporter's Transcript of Proceedings*

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1 All right. So other than that,  
2 we'll see you back here on

3 Well, also, I would like to know  
4 for the record, are you operating as an administrative  
5 officer or a judicial officer?

6 There is no quorum for you to ask  
7 me questions, sir.

8 This is the forum to ask you  
9 questions.

10 No, it's not.

11 Says who?

12

13 Okay. So you mean to tell me  
14 that you're not going to require the City of to  
15 provide me with a delegation of order authority?

16 No.

17 So you're going to continue to  
18 operate a fraud?

19 Anything else for the record  
20 that's relevant to this case?

21 Okay. And you're not going to  
22 answer my question whether you're operating as an  
23 administrative officer or a judicial officer?

24 No, sir, I'm not. Thank you.

25 Thank you,

**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.**