

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 19-413

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Judges:

Complainant:

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**ORDER**

April 9, 2020

The Complainant alleged a justice of the peace was biased against him and engaged in a harassment campaign against him. The complainant also alleged a superior court judge had denied him his right to a speedy trial and had failed to report judicial misconduct.

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 Commission Rules 16(a) and 23(a).

Commission member Gus Aragón did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 9, 2020.

DEAR COMMISSION

MY NAME IS

I AM CURRENTLY BEING HELD

AT THE COUNTY DETENTION SERVICES ILLEGALLY AND I WOULD LIKE  
(TO FILE) TO FILE TWO COMPLAINTS AGAINST TWO JUDGES WHO HAVE ABUSED,  
MISUSED AND DISRESPECTED THEIR JUDICIARY SEAT.

"FIRST COMPLAINT"

I WAS ORIGINALLY ARRESTED FOR FAIL TO REMAIN AT THE SCENE -

DAMAGE ATTENDED VEHICLE WHICH IS A MISD 2<sup>ND</sup> DEGREE, AND DISORDERLY CONDUCT/

FIGHTING A MISD. 1<sup>ST</sup> DEGREE. THIS TOOK PLACE IN ARIZONA IN

COUNTY AND I WAS PLACED IN JUDGE COURT. MY CASE NO. IS

I WOULD LIKE IT TO BE KNOWN THAT "I AM" AND "HAVE BEEN"

INGORANT TO ANY AND ALL LEGAL PROCEDURE, I AM JUST NOW BEGINING TO

EDUCATE MYSELF DUE TO THE SITUATION AND CIRCUMSTANCES SURROUNDING MY ILLEGAL

DETAINMENT AND THE HARRASSMENT AND VIOLENCE I HAVE SUFFERED AT THE HANDS OF

JUDGE SHERIFFS AND ANOTHER JUDGE WHO WILL BE NAMED IN MY SECOND

COMPLAINT.

WHILE BEING PROCESSED THROUGH JUDGE COURT

HIMSELF BEGAN SHOWING SIGNS OF HAVING A BIAS OPINION AND HAD

ATTEMPTED TO PREJUDICE ME ON MULTIPLE OCCASIONS. ON ONE OF THOSE

OCCASIONS ATTEMPTED TO PRESSURE THE PROSECUTOR INTO PUSHING

A FAILURE TO APPEAL CHARGE ON ME AND CONTINUED TO PURSUE THIS CHARGE

AGAINST ME UNTIL MY ATTORNEY POINTED OUT THAT HE WAS

ACTING OUTSIDE HIS AUTHORITY, THIS CAN BE VERIFIED BY BOTH COURT ROOM MINUTE

ENTRY/TRANSCRIPT AND CAN BE BACKED UP AND CORROBERATED BY MY COUNSEL

ALSO MADE BIAS COMMENTS ON COURT ROOM

MINUTE ENTRY ABOUT A PREVIOUS CASE IN WHICH I WAS TAZED BY SHERIFF

MARSHALLS "THAT CASE" HAD NO BEARING ON THE CASE AT HAND AND SHOWED

THAT JUDGE WAS BEING BIAS AND UN-IMPARTIAL. MANY OF JUDGE

COMMENTS WERE IMPROPER AND ATTITUDE TOWARD ME ONLY LENT

WEIGHT TO HIS BUILDING VENDETTA AGAINST ME.

ACCORDING TO THE CODE OF JUDICIAL CONDUCT

CANNON #1: A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

"RULE 1.1 COMPLIANCE WITH THE LAW"

A JUDGE SHALL COMPLY WITH THE LAW, INCLUDING THE CODE OF JUDICIAL CONDUCT.

"RULE 1.2. PROMOTING CONFIDENCE IN THE JUDICIARY"

#4. JUDGES SHOULD PARTICIPATE IN ACTIVITIES THAT PROMOTE ETHICAL CONDUCT AMONG JUDGES AND LAWYERS, SUPPORT PROFESSIONALISM WITHIN THE JUDICIARY AND THE LEGAL PROFESSION, AND PROMOTE ACCESS TO JUSTICE FOR ALL. (THAT INCLUDES ME.)

#5. ACTUAL IMPROPRIETIES INCLUDE VIOLATIONS OF LAW, COURT RULES, OR PROVISIONS OF THIS CODE. THE TEST FOR APPEARANCE OF IMPROPRIETY IS WHETHER THE CONDUCT WOULD CREATE IN REASONABLE MINDS A PERCEPTION THAT THE JUDGE VIOLATED THIS CODE OR ENGAGED IN OTHER CONDUCT THAT REFLECTS ADVERSELY ON THE JUDGE'S HONESTY, IMPARTIALITY, TEMPERMENT, OR FITNESS TO SERVE AS A JUDGE, AN APPEARANCE OF IMPROPRIETY DOES NOT EXIST MERELY BECAUSE A JUDGE HAS PREVIOUSLY RENDERED A DECISION ON A SIMILAR ISSUE, HAS A GENERAL OPINION ABOUT A LEGAL MATTER THAT RELATES TO THE CASE BEFORE HIM OR HER, OR MAY HAVE PERSONAL VIEWS THAT ARE NOT IN HARMONY WITH THE VIEWS OR OBJECTIVES OF EITHER PARTY. A JUDGE'S PERSONAL AND FAMILY CIRCUMSTANCES ARE GENERALLY NOT APPROPRIATE CONSIDERATIONS ON WHICH TO PRESUME AN APPEARANCE OF IMPROPRIETY.

JUDGE

VIOLATED MY RIGHT TO A TRIAL BY JURY UNDER THE SIXTH AMENDMENT, CRIMINAL DEFENDANTS HAVE A RIGHT TO TRIAL BY AN IMPARTIAL JURY DRAWN FROM THE STATE AND DISTRICT WHERE THE CRIME ALLEGEDLY OCCURED U.S. CONST. AMEND. VI; SEE ALSO US. CONST.

ART. III § 2, CL. 3 ("THE TRIAL OF ALL CRIMES... SHALL BE BY JURY; AND SUCH TRIAL SHALL BE HELD IN THE STATE WHERE THE SAID CRIMES SHALL HAVE BEEN COMMITTED; BUT WHEN NOT COMMITTED WITHIN ANY STATE, THE TRIAL SHALL BE AT SUCH PLACE OR PLACES AS THE CONGRESS MAY BY LAW HAVE DIRECTED.") THE RIGHT TO A JURY TRIAL EXISTS ONLY IN PROSECUTIONS FOR SERIOUS CRIMES, AS DISTINGUISHED FROM PETTY OFFENSES. IN DETERMINING WHETHER A CRIME IS "SERIOUS" UNDER THE SIXTH AMENDMENT, COURTS LOOK TO THE SEVERITY OF THE MAXIMUM AUTHORIZED PENALTY, CRIMES THAT COULD BE PUNISHED BY A PRISON SENTENCE GREATER THAN SIX MONTHS A TRIGGER DEFENDANTS RIGHT TO A JURY TRIAL EVEN IF THE IMPOSED SENTENCE IS LESS THAN SIX MONTHS. SEE LEWIS. 518 V.S. AT 324-25

("[F]OR DETERMINATION OF THE RIGHT TO A JURY TRIAL, THE PROPER FOCUS IS ON THE LEGISLATURE'S DETERMINATION REGARDING THE CHARACTER OF THE OFFENSE, AS INDICATED BY MAXIMUM PENALTY AUTHORIZED, NOT ON THE LENGTH OF THE MAXIMUM AGGREGATE SENTENCE FACED.");

JUDGE TOOK IT UPON HIMSELF TO WAVE MY RIGHT TO A JURY TRIAL AGAINST MY OWN WISHES EVEN AFTER I VERBALLY REQUESTED A TRIAL BY JURY ON COURT ROOM MINUTE ENTRY. IN DOING THIS MY CONSTITUTIONAL RIGHT TO A JURY TRIAL WAS VIOLATED. SOUGHT TO APPOINT HIMSELF JUDGE, JURY AND EXECUTIONER IN ORDER TO GUARANTEE A CONVICTION AND ILLEGALLY SENTENCED ME TO COMMUNITY SERVICE AND IMPOSED AN ILLEGAL FINE ON ME, ADDITIONALLY IMPOSED EXTRA SANCTIONS OUTSIDE MY ORIGINAL SENTENCE THAT WAS NOT A PART OF MY SENTENCE.

ALSO SUSPENDED MY DRIVERS LICENCE. THE SUSPENSION OF MY LICENCE WAS NOT STATED, INSTITUTED OR AMENDED TO OR IN MY ORIGINAL SENTENCE, THIS I BELIEVE IS CALLED DOUBLE JEOPARDY. THE DOUBLE JEOPARDY CLAUSE OF THE FIFTH AMENDMENT STATES NO PERSON SHALL BE SUBJECT FOR THE SAME OFFENSE TO BE TWICE PUT IN JEOPARDY OF LIFE OR LIMB. THE CLAUSE PROTECTS AGAINST (1) A SECOND PROSECUTION FOR THE SAME OFFENSE AFTER

AN ACQUITTAL; (2) A SECOND PROSECUTION FOR THE SAME OFFENSE AFTER A CONVICTION; AND (3) MULTIPLE PUNISHMENTS FOR THE SAME OFFENSE.

JUDGE NEVER CONTACTED ME IN REGARDS TO MY LICENCE BEING SUSPENDED... I WAS NEVER NOTIFIED THAT MY LICENCE WAS SUSPENDED AND I NEVER HAD CAUSE TO BELIEVE THAT MY LICENCE WAS IN DANGER/ JEOPARDY OF BEING SUSPENDED. BECAUSE OF THIS ISSUE I HAVE HAD ISSUES WITH ANOTHER OUTSIDE COUNTY IN REGARDS TO MY SUSPENDED LICENCE!

ADDITIONALLY... JUDGE THEN BEGAN HIS HARRASSMENT CAMPAIGN AGAINST ME! JUDGE SENT MY FINE TO COLLECTIONS "BUT" THEN RETRACTED IT FROM COLLECTIONS MULTIPLE TIMES AND PLACED MULTIPLE ARREST WARRANTS OUT AGAINST ME, ON THIS LAST OCCASION I WAS ARRESTED AND BROUGHT BEFORE MR. VIA VIDEO COURT - I'M SORRY I MISTATED THAT "NAME" IT WAS A DIFFERENT JUDGE WHOM I CANNOT NAME VIA VIDEO COURT AND WAS THEN RELEASED ON MY OWN R.O.R AFTER BEING RELEASED JUDGE INTENTIONALLY FAILED TO QUASH THE ARREST WARRANT AND SENT THE COUNTY SHERIFF MARSHALS ALONG WITH DETENTION OFFICERS IN AZ. TO ARREST ME ON THE SAME ARREST WARRANT THAT I WAS ALREADY RELEASED ON. DURING THIS ARREST NOT ONLY WAS I ASSAULTED BY SHERIFFS BUT SO WAS MY PREGNANT WIFE! THIS ARREST TOOK PLACE WHILE I WAS APPEARING AT THE COURT HOUSE ON IN THE COURT HOUSE LOBBY. THE ASSAULT BY THESE OFFICERS WAS CAUGHT ON THE LOBBY SECURITY CAMERAS. AS A RESULT OF THIS ASSAULT, MY WIFE AND I LOST OUR UN-BORN CHILD! I WOULD LIKE IT TO BE NOTED THAT I WAS RELEASED ON MY WARRANT ON AND RE-ARRESTED ON THE VERY SAME WARRANT ON

AS A RESULT OF THE ASSAULT BY THE OFFICERS I WAS CHARGED WITH ASSAULT ON OFFICERS IN ORDER TO JUSTIFY THE MURDER OF MY UN-BORN CHILD! I NOW SIT IN THE COUNTY DETENTION SERVICES FACING

NEW CHARGES ALL STEMMING FROM JUDGE

MALICIOUS AND VINDICTIVE

PERS~~E~~CUTION AND HARRASSMENT, I HAVE BECOME THE VICTIM OF A JUDGE THAT  
VIEWS HIMSELF AS ABOVE THE LAW...

CANNON #2. A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL  
OFFICE IMPARTIALLY, COMPETENTLY, AND DILLIGENTLY.

" RULE 2.2 IMPARTIALITY AND FAIRNESS "

A JUDGE SHALL UPHOLD AND APPLY THE LAW, AND SHALL PERFORM  
ALL DUTIES OF JUDICIAL OFFICE FAIRLY AND IMPARTIALLY.

### COMMENT

(1) TO ENSURE IMPARTIALITY AND FAIRNESS TO ALL PARTIES, A  
JUDGE MUST BE OBJECTIVE AND OPEN-MINDED.

(2) ALTHOUGH EACH JUDGE COMES TO THE BENCH WITH A UNIQUE  
BACKGROUND AND PERSONAL PHILOSOPHY, A JUDGE MUST INTERPRET AND APPLY  
THE LAW WITHOUT REGARD TO WHETHER THE JUDGE APPROVES OR DISAPPROVES

OF THE LAW IN QUESTION. (3) A GOOD FAITH ERROR OF FACT OR LAW DOES NOT  
VIOLATE THIS RULE. HOWEVER, " A PATTERN OF LEGAL ERROR OR AN INTENTIONAL  
DISREGARD OF THE LAW MAY CONSTITUTE MISCONDUCT. "

" RULE 2.3 BIAS, PREJUDICE, AND HARASSMENT "

(A) A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE,  
INCLUDING ADMINISTRATIVE DUTIES, WITHOUT BIAS OR PREJUDICE.

(B) A JUDGE SHALL NOT, IN THE PERFORMANCE OF JUDICIAL DUTIES,  
BY WORDS OR CONDUCT MANIFEST BIAS OR PREJUDICE, OR ENGAGE IN  
HARASSMENT, INCLUDING BUT NOT LIMITED TO BIAS, PREJUDICE, OR HARASSMENT  
BASED UPON RACE, SEX, GENDER, RELIGION, NATIONAL ORIGIN ETHNICITY,  
DISABILITY, AGE, SEXUAL ORIENTATION, MARITAL STATUS, SOCIOECONOMIC  
STATUS, OR POLITICAL AFFILIATION, AND SHALL NOT PERMIT COURT STAFF, COURT  
OFFICIALS, OR OTHERS SUBJECT TO THE JUDGE'S DIRECTION AND CONTROL TO DO

SO.

**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.**