

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-099

Judge:

Complainant:

ORDER

July 2, 2020

The Complainant alleged that a superior court judge failed to rule on a petition for writ of habeas corpus.

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 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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 2, 2020.

Comp

2020-099

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

Petitioner,

REQUEST FOR STATUS

(Assigned to the Honorable)

Respondents.

Petitioner hereby request status on his previously filed "Notice Of Compliance With Supreme Court Order Prosecution Of Writ Of Habeas Corpus," submitted and demand an answer to the Notice-Prosecution based on the following memorandum.

is substituted for as of the Ariz.

Dept. of Corrections. See ARCAP 27 (c)(2).

MEMORANDUM

1. The Arizona Supreme Court ordered Petitioner to contact the Superior Court regarding Case Number because the above mentioned case had been neglected by the Superior Court from through.

2. On Petitioner did obey the Supreme Court Order, and still, the Superior Court has not decided Case Number after almost another full month. This case was assigned to the Hon. close to ago. The Hon. has not heard the case; has not contacted the Petitioner in regard to the issues of the case; and, have yet to decide the Notice of Compliance with the Supreme Court Order.

3. The Arizona Code of Judicial Conduct, found at Ariz. R.S. Ct. 81, governs the conduct of state court judges. As the Preamble to the Code of Judicial Conduct emphasizes, the judge is a highly visible symbol of the rule of law in our country. The public places great trust in the judge, as the judge is the arbiter of disputes in our society. For these reasons, it is imperative that every judge uphold the highest standards of conduct. The Canons of Judicial Conduct set out the judge's obligation in that regard. Those with particular application to the judge hearing and deciding matters assigned to the judge are:

Canon 1: A Judge Shall Uphold and Promote the Independence, Integrity, and Impartiality of the Judiciary, and Shall Avoid Impropriety and the Appearance of Impropriety.

Canon 2: A Judge Shall Perform the Duties of Judicial Office Impartially, Competently, and Diligently.

4. The Canons state overarching principles of judicial ethics that all judges must observe; therefore, Petitioner demand that Cause _____ be heard and decided by the Hon.

_____ without any further delay, as this case is assigned to Judge _____. Petitioner makes this demand pursuant to Canon 2, Rule 2.5 (A) "A judge shall perform judicial duties competently, diligently, and promptly." And Canon 2, Rule 2.7. "A judge shall hear and decide matters assigned to the judge."⁹⁹

RESPECTFULLY SUBMITTED this _____ day of _____

Copy of the foregoing mailed this _____ day of _____ to: _____

Commission on Judicial Conduct
1501 W. Washington St., Ste. 229
Phoenix, AZ 85007