

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-134

Judge:

Complainant:

ORDER

July 23, 2020

The Complainant alleged a pro tem appellate court judge had improperly dismissed his appeal.

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).

Copies of this order were distributed to all appropriate persons on July 23, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020-134

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.

For his complaint, _____ asserts
that "purported" Arizona Court of Appeals, Division
One, Judge Pro Tempore,
is not of good moral character and violated ✓
Rule 1, Arizona Code of Judicial Conduct;

1. Rule 1.1, Compliance with the Law
2. Rule 1.2, Promoting Confidence in the Judiciary
3. Rule 2.3, Bias, Prejudice, and Harassment,
and, Rule 4a, Arizona Rules of Professional
Conduct for Lawyers;

1. E.R. 3.3, Candor Toward the Tribunal
2. E.R. 3.4, Fairness to Opposing Party
3. E.R. 3.8, Special Responsibilities of a Prosecutor

_____ argues that his meritorious claims
on appeal are arbitrarily cancelled out when
purported Court of Appeals Judge
cancels out his notice of appeal and request
for appointment of counsel. _____ is clinically
and "legally seriously mentally ill" (SMI), pursuant
to ARS 36-550 where he suffers from a "grave
disability" pursuant to ARS 36-551. In
the _____ Co. Sup. Court ordered
competency hearings in an unrelated matter

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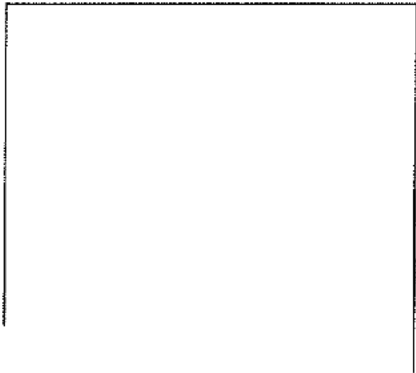
_____ has remained since, the Court has found him a member of a protected class while he is SMI, and now incompetent and presumably not restorable.

_____ argues that _____ is intercepting his legal mail to cancel out appeals from the county attorney's office, these appeals are not county attorney appeals, they are state attorney general appeals, _____ has lodged "false declarations" to cancel out _____ appeal violating *US v. Lonier*, 520 US 259 (1997), asserts that _____ has violated *State vs. Foder*, 179 Ariz 442 (1994);

1. ARS 13-2702, Perjury (false declarations)
2. ARS 13-2409, Obstruction
3. ARS 13-2810, Interfering

_____ moves Judiciary Committee to conduct an inquiry into clear and convincing violations under clearly established law that mandate sanctions pursuant to ARS 13-713, forfeiture of state benefits, and Arizona Constitution, article 6.1, section 3 and 4, suspension and or removal. (see *In re Abrams*, 227 Ariz 248 (2011)).

IN THE
COURT OF APPEALS
STATE OF ARIZONA



STATE OF ARIZONA,)
)
 Appellee,)
)
 v.)
)
)
 Appellant.)
)
)

ORDER DISMISSING APPEAL

A review of the record indicates that appellant has filed a notice of appeal that purports to appeal from the trial court's order dismissing his notice of post-conviction relief pursuant to Arizona Rule of Criminal Procedure 33. Such an order is not appealable. See Ariz. Rev. Stat. § 13-4033 (2010). If a defendant who pled guilty wishes to seek review of the superior court's final decision in a post-conviction relief proceeding, the defendant must file a timely petition for review in this court pursuant to Rule 33.16. Therefore,

IT IS ORDERED dismissing this appeal.

_____/s/_____
Judge Pro Tempore

IN THE
COURT OF APPEALS
STATE OF ARIZONA

STATE OF ARIZONA,)
)
 Respondent,)
)
 v.)
)
)
)
 Petitioner.)
)
)

ORDER REGARDING DOCUMENT TITLED "DOCKET FRAUDS"

The court has received a courtesy copy of the document titled "Docket Frauds" that petitioner provided to _____ of the Arizona Supreme Court.

IT IS ORDERED no action will be taken regarding the document.

_____/s/_____
Judge Pro Tempore

A copy of the foregoing was sent to: