

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 20-160

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Judge:

Complainant:

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**ORDER**

August 26, 2020

The Complainant alleged a superior court judge failed to be impartial in his criminal case.

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 J. Tyrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 26, 2020.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2020-160

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name

Date:

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files

ON The Honorable Judge  
violated The code of Judicial conduct while in open court  
at my sentencing. Judge violated code 1 & 2,

" 1. A Judge shall uphold and promote the  
independent, integrity and impartiality...

... shall avoid the appearance of impropriety. "

" 2. A Judge shall perform the duties of judicial  
office impartially..."

During my sentencing the judge used disparaging remarks toward  
me, he showed he was not impartial, and by using these remarks  
showed impropriety while on the bench in open court.

The judge said:

" you're the most distickable person  
to ever enter my courtroom "

" I believe the defendant is utterly and  
completely lacking in candor, honesty and  
believability "

During trials, judge allowed to make gestures  
and actions in front of the jury as I was entering the courtroom  
in the sight of the jury.

As evidence see transcript of sentencing,  
(see continuation)

(Attach additional sheets as needed)

(CONTINUATION)

The Judge showed impartiality and impropriety in open court on the record, by making statements:

" I want to resolve this case by plea,  
I want to give the victims a break  
and not subject them to any more agony "

That statement alone shows he was NOT impartial. That he had already made up his mind as to my guilt prior to a completed trial. IT also clearly shows, he was on the alleged victims side, and would not afford me a fair & impartial trial.

The Judge is NOT suppose to be the alleged victims advocate, he is suppose to provide a fair & impartial trial and allow a jury decide, making sure every thing is done right so as to allow all parties an independent and impartial venue.

All the foregoing facts can be corroborated by review of the transcripts of