

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-345

Judge:

Complainant:

ORDER

March 24, 2021

The Complainant alleged a superior court judge failed to timely rule and engaged in improper *ex parte* communications with the prosecutor. The Complainant alleged a second superior court judge failed to timely rule and was biased against him.

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 Barbara Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on March 24, 2021.

Commission on Judicial
Conduct

1501 W Washington St S-229
Phx, AZ 85007

Re: Case No.

Dear Commission, I would like to add for your review a Copy of the _____ Transcript Status Conference. I would also like to add Judge _____ to this investigation Violation of Judicial duties Rule 2.1, 2.2, and 2.3. On or about _____ a rule 32 Post Conviction petition and Declaration was filed (see) pg. _____ line _____ of the transcript. Judge _____ admits that on or about _____ he had recieved a request to assign this for rulings from Judge _____. As with the _____ motion Judge _____ and Judge _____ Intentionally delays any action taken from _____, until _____

hearing," (see) pg. , line . Judge
assigned the Case to , however
he didn't provide him a Copy of the
Rule 32 motion (See) pg. , - pg. ,
1. Judge and Judge both
have shown a pattern of Violations
of Duties owed by Rule 2.1, 2.2. and
2.3, The , and
, petition were intentionally
delayed from Ruling by Judge , and
Judge for Combined
between the both petitions. This
is unacceptable and it was done
with intent to delay Very Shameful!

Respectfull Submitted

Black lives Also Matter

IN THE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF

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

, Arizona

BEFORE: THE HONORABLE
JUDGE OF THE

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Status Conference:
PCR Relief Pleadings

PREPARED FOR:

COPY

A P P E A R A N C E S

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On Behalf of the State:

County Attorney
County Office

On Behalf of the Defendant: Pro Per

1 , Arizona

2
3 P R O C E E D I N G S :
4

5 THE COURT: Number on the calendar.

6 . State of Arizona versus

7
8 This is the time set for a status
9 conference.

10 : Good morning, your Honor.

11 County Attorney , appearing on behalf of the
12 State.

13 THE COURT: Thank you.

14 DEFENDANT : Good morning, your Honor.

15
16 THE COURT: Thank you.

17 Counsel, I have received a request to assign
18 this for rulings to me from Judge , dated
19

20 I wasn't sure how I was picked to be
21 assigned to this case; therefore, I had some questions. I
22 went and tried to put together some pleadings that were
23 filed.

24 I wasn't even sure what it was that I was
25 being asked to rule on. As I was told I was assigned to

**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.**

CONFIDENTIAL

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

FOR OFFICE USE ONLY

20-345

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.

Jude intentionally sat^{on} or refused to give precedence to Judicial Duties, Violating Rule 2.1, 2.2, and 2.3. On _____ I filed a motion Newly Discovered Evidence I attached a Department of Economic Security Variance Report, asking for a hearing. Judge _____ held several Status Conference hearings one in _____ the other on or about _____. The _____ hearing was held on a motion by the Court. I thought it was being held because the _____ motion was still pending, and we were in Mid _____. Judge _____ on his own motion found time to admonish me over some emails of nature, asking the Court to rule on a motion that had been pending over _____. During the _____ Status Conference hearing States' Attorney _____ revealed a Ex Parte Communication Rule 2.9(A) Violation. _____ and I met for the first time in the _____ Status Conference hearing. During the hearing the Judge asked _____ if he had seen the _____ motion. _____ said he had recently been assigned the case, Judge _____ asked _____ when could he have an answer

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filed with the Court, _____ said in about
Judge _____ granted him
to file a response. Judge _____ then
address me telling me that I would be allowed
so many _____ to file a response. During the
time of the hearing Judge never order
not to respond, see transcript and
digital video of _____ conference status hearing.
Some time between _____ and _____
the ex parte communication occurred. Rule
2.3, Bias Prejudice _____ revealed during
the _____ hearing that he wouldn't respond to
any motions filed based on the Court's order.
If Judge _____ didn't order _____ not to
file any response during the _____ status
conference in my presence when was the
order given. To sum this complaint up the
transcript's and digital recording of both hearing
should be ordered by the Commission to ensure
a fair and impartial investigation. If any
additional information is needed please don't
hesitate to let me know!