

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-080

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Judge:

Complainant:

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**ORDER**

June 27, 2024

The Complainant alleged a superior court judge erred by denying his motion to dismiss and motion for reconsideration and disregarding his objections to the conduct of the appointed counsel, whom Complainant had been trying to replace with a contracted lawyer.

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 members Roger D. Barton, Louis Frank Dominguez, and Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 27, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2024-080

**COMPLAINT AGAINST A JUDGE**

Name: [ ] Judge's Name: [ Judge ]

**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.

See attached Motion for Reconsideration with that Judge [ ] will not even entertain egregiously violation my rights. She is forcing me to take a defective counsel and (law office having (conflict of interest.

Attorney [ ] evidenced actions breaching attorney client privilege, client confidentiality, client informed consent, 5th, 6th, and 14th Amendments guaranteeing a fair and impartial trial, defective representation, [ ] and [ ] ethics violations, and violations of U.S. Supreme Court Caselaw "was within the range of competence demanded of attorneys in criminal cases?" See also Tollett v. Henderson, 411 U.S. 258, 266-69 (1973); United States v. Agurs, 427 U.S. 97, 102 n.5 (1976).

see, listen and read attached truth.

Attorney [ ] lied as on recordings. He said at Judge [ ] hearing that I have not called at all. Openly lied (Perjury) and Judge [ ] openly disregards and demands that I have to work with this defective public defender.

Judge [ ] unconstitutionally set my trial date for over [ ] with defective counsel who hung .up on me .

This is a attempted unconstitutional judicial railroad job with corrupt Judge [ ] seeking a conviction, for a charge with no witnesses, other than my parents who stated under path, affidavits, that I did not do these falsely alleged charges. This disgusting unconstitutional and illegal trial to take place over [ ]

Judge [ ] egregious, unconstitutional, illegal actions need to be reviewed, stopped as now my family is going through a federal court. lawsuit, with a federal Judge who will finally honor and respect my civil rights by not deeming them, as Judge [ ] has, as moot.



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Self-Represented Defendant

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

STATE OF ARIZONA,

Plaintiff,

vs.

Defendant.

Case No.

**MOTION FOR  
RECONSIDERATION OF  
MOTION TO DISMISS**

Assigned to Hon.

**LEGAL ARGUMENT**

The Sixth Amendment guarantees defendant facing imprisonment, the constitutional right to an attorney, as applied to Arizona through the due process clause of the 14th Amendment.

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2 The United States Supreme Court in *Gideon v. Wainwright*, 372 U.S. 335 (1963)  
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4 mandated that state courts are required under the 14th Amendment to provide counsel  
5 in criminal cases to indigent defendants, guaranteeing their Sixth Amendment right.  
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7 The right to counsel is the right to the effective assistance of counsel. Guaranteed  
8 right by the Constitution is to serve its purpose, defendant cannot be  
9 left to the mercies of incompetent counsel. Here, , breached attorney  
10 client privilege, client confidentiality, and client informed consent by sending  
11 privileged, private, "confidential", case file information to "  
12 (the public). Unconstitutionally, in violation of Amendments 5, 6 and 14 of the U.S.  
13  
14 Constitution guaranteeing will get a fair and impartial trial.  
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16 Now " " with "  
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18 " *Id.*  
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20 *McMann v. Richardson*, 397 U.S.759, 771 n.14 (1970).

21 *Cuyler v. Sullivan*, 446 U.S. 335, 344 (1980) mandates this  
22 County, State of Arizona, Court "not to allow conflict-of-interest" by  
23 expanding this civil rights violation into more civil rights violations by assigning to  
24 defective representation Public Defender office's, "conflict-of-  
25 interest", friends, colleagues, co-workers of Attorney who breached  
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2 attorney client privilege, client confidentiality and client informed consent in this case.

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4 Defective law office who allowed conduct without consequences.

5 *McMann v. Richardson*, 397 U.S.759, 771 n.14 (1970) mandates Effective  
6 Assistance of Counsel.-"[T]he right to counsel is the right to the effective assistance  
7 of counsel." "[I]f the right to counsel guaranteed by the Constitution is to serve its  
8 purpose, defendants cannot be left to the mercies of incompetent counsel ..." 397  
9 U.S.at 771. Court is retrospectively to consider whether Attorney ]  
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11 evidenced actions breaching attorney client privilege, client confidentiality, client  
12 informed consent, 5th, 6th, and 14th Amendments guaranteeing a fair and impartial  
13 trial, defective representation, American Bar and Arizona Bar Associations ethics  
14 violations, and violations of U.S. Supreme Court Caselaw "*was within the range of*  
15 *competence demanded of attorneys in criminal cases?*" See also *Tollett v. Henderson*,  
16 411 U.S. 258, 266-69 (1973); *United States v. Agurs*, 427 U.S. 97, 102 n.5 (1976).  
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21 Additionally, the Sixth Amendment's right to effective assistance attaches directly  
22 to the fidelity and competence of defense counsel's services, here "*the State of Arizona*  
23 *government*" brought about the defective representation. "*The vital guarantee of the*  
24 *Sixth Amendment would stand for little if the often-uninformed decision to retain a*  
25 *particular lawyer, firm or law office could reduce or forfeit the defendant's entitlement*  
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**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.**