

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-167

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Judge:

Complainant:

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**ORDER**

The Complainant alleged a superior court judge made improper legal and evidentiary rulings in a high-profile criminal case and improperly left the courtroom during an argument.

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.

After review, the Commission found that the judge improperly limited cross-examination, relying on using the federal rule rather than Arizona Rule of Evidence 611, and walked off the bench while a party is making a record. While this was improper under Rules 1.1, 1.2 and 2.6(A) of the Code of Judicial Conduct, the Scope Section of the Code provides that not every transgression will result in the imposition of discipline. The Commission decided, after considering all the facts and circumstances, to dismiss the Complaint pursuant to Commission Rules 16(b) and 23(a), but to issue a warning letter to the judicial officer to review Rule 611 of the Arizona Rules of Evidence, allow parties to be heard, and to act at all times in a manner that promotes public confidence in the judiciary.

Commission member Christopher P. Staring did not participate in the consideration of this matter.

Dated: November 22, 2024

FOR THE COMMISSION

/s/ Joseph C. Kreamer  
Hon. Joseph C. Kreamer  
Commission Vice-chair

Copies of this order were distributed to all appropriate persons on November 22, 2024.

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

**FOR OFFICE USE ONLY**

2024-167

**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.

See attached

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## INTRODUCTION

This complaint is against \_\_\_\_\_ of the \_\_\_\_\_ County \_\_\_\_\_ Court. The involved case is \_\_\_\_\_ is accused of killing an illegal immigrant on his property and in close proximity to his home.

This case has international interest as several international news agencies, particularly in \_\_\_\_\_ are reporting on the case.

\_\_\_\_\_ conduct in this matter violated the Code of Conduct Rule 1.1 Compliance with the Law, Rule 1.2 Promoting Confidence in the Judicial, Rule 2.2 Impartiality and Fairness, Rule 2.3 Bias, Prejudice and Harassment, Rule 2.4 External Influences on Judicial Conduct, Rule 2.5 Competence, Diligence and Cooperation, Rule 2.6 Ensuring the Right to be heard, Rule 2.8 Decorum, Demeanor and Communication with Jurors and any other rules deemed relevant to this complaint.

\_\_\_\_\_ conduct was not only internationally streamed online but reported internationally. It was embarrassing and brought disrepute to the Arizona Judiciary in perhaps the most high-interest felony trial in the County's history.

## ACTIONS

The primary exhibits in this complaint are \_\_\_\_\_ news article that relied on video recordings and court transcripts/records. This Commission should obtain those records to be used in the disposition of this complaint.

From the news article:

He proved that by throwing a curveball at the defense, before finishing cross-examination of Detective .

The judge imposed a strict time limit of minutes.

“ ” said

“ ” Judge said.

And he held them to that, they raised another objection later the judge walked out of the room leaving the court reporter to document it.

### DISCUSSION

The limiting of cross examination of a defendant to minutes is a serious violation of constitutional rights, not just the Cannons or Arizona rules. These are deprivations of rights under “color of law.” The 5<sup>th</sup> and 6<sup>th</sup> Amendments of the Constitution (the Supreme Law of the Land) cover(s) the rights of the accused. “ ” deprived rights to confront witnesses against him.

When objected to the edict, responded that she had “ ’ This was a further deprivation of rights AND nothing more than a hissy fit by Later that day, again brought up the deprivation matter. got up and left the courtroom during the continued objection disrespecting the defense. This was an act of trashing any public confidence in the judiciary as displayed by

In this case, the prosecution had unlimited time to testify against The defense had minutes to cross examine??? hostility towards the defense was extremely obvious.

After sabotaging the defense, sent the case to the jurors, who were unable to come to a verdict. declared a mistrial causing SIGNIFICANT expense to the tax-payers. He additionally set a status conference of

### CONCLUSION

We have a presiding judge who has violated his oath of office by seriously restricting the Constitutional rights of a defendant.

has committed serious MISCONDUCT in a case of international interest giving outsiders an impression of incompetence and turmoil in this border area. He has significantly diminished the

confidence in the local court system and has shown that the Constitution is non-existent in County.

There is no other discipline than his removal from office. He must be immediately suspended from having anything more to do with the case, including the status conference scheduled for next week!

8. Please read the following statement and sign on the line below:

**I affirm, under penalty of perjury, that the foregoing information and the allegations contained in the attached complaint are true.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date