

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-188

Judge:

Complainant:

ORDER

July 30, 2024

The Complainant alleged a superior court judge engaged in ex parte communications with jurors to ensure a conviction against him in a criminal matter.

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).

Copies of this order were distributed to all appropriate persons on July 30, 2024.

Off-the-Bench Judicial Conduct

Como

Dear Ma'am/Sir,

2024-188

My name is _____ and am reporting a rather important claim in regard to _____, a judge within _____ County in the state of Arizona. It has come to realization that this agency oversees misconduct of judicial officials and how their inappropriate acts impact a person, or the legal proceedings in an unlawful manner.

On _____, the _____ day of my trial, the court abused its discretion when the trial judge erred by willful commission of off-the-bench additional communication with a juror in private to monopolize his influence to her and then held a meeting in the jury room with the other jurors during a recess. As a firm display that breached Rule 18.6(f), in conjunction with Amendment VI, the rights warranted to us ~~was~~ ^{were} violated to deprive a fair and impartial trial, due to the fact all communication must be on the record ~~or~~ or in writing when it comes to the court and jurors (see Ex[#] 84). In accordance to Rule 22.4, the jury must advise the court of an impasse during their deliberations before any kind of intervention is to be administered and that was not the case here. Also, the trier of fact was misled by the disrobed judge with instructions their vote required an unanimous guilty or not guilty verdict, to suggest their independent better judgement was prohibited by the court, and a premature poll was endorsed to prejudice liberty and justice.

Later, the court further abused its discretion when another

"Secluded" off-the bench discussion was conducted to secure vote bias in favor of the prosecution during the aggravating circumstances phase of this unfair trial. The FTR footage is a strong pillar for these colorable claims.

On _____, the singled-out juror that was harassed, wrote a very descriptive letter to the court that expressed the deep concerns of injustice. Since the censorship was over, she compiled the events that occurred, to include duress and intimidation enforced by the off-the bench judge and other jurors (see Ex[#] 2). The state failed their obligation to prove guilt beyond a reasonable doubt but succeeded to persuade a conviction by means of encroachment.

In hindsight, fundamental and prosecutorial errors depreciate the value guaranteed by the protection of the Constitutional laws. Due to this cataclysm of deficiency performance, malicious prosecution, mis-prison and professional misconduct, acts of moral bankruptcy led to a bar sinister penalty.

This matter is being raised in a Rule 32 Petition but it is necessary to point these issues to the proper authority, and the case[#] is _____ inmate[#] _____

State of ARIZONA, County of _____
Subscribed and sworn (or affirmed) before me
this _____ day of _____ 20____
by _____

Notary Public