

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-197

Judge:

Complainant:

ORDER

August 30, 2024

The Complainant alleged a superior court judge improperly denied him the right to represent himself and/or denied him a new attorney 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 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 Denise K. Aguilar and Delia R. Neal did not participate in the consideration of this matter.

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

1.

Additional Pages:

Honorable Judge _____ has created a conflict in his court, in my case and between myself and my lawyer. The conflict changes the outcome of this case entirely. The problem is I need adequate representation. There is 2 parts to this conflict. (1) I was denied the right to change counsel and (2) I was denied the right to represent myself in the case, case # _____ . Allow me to describe the conflict starting w/ (1) and I'll elaborate. Then I'll give a detailed description of the 2nd conflict. Lets start w/:

1. I was denied the right to change counsel.

I am arguing w/ my current lawyer. He is a public defender by the name of _____. He is a _____ guy, and a complete opposite of me. He is not listening, to my suggestions, will not let me talk, cuts me off when I'm talking, he fails to be professional and act in a professional way. I.E. _____ is rude and sarcastic when I need a more down to earth and calm attorney, He makes the environment hostile and confusing. It has been a hassle since _____. This case has been open since early _____ or late _____ of this year and I've only talked w/ _____ court hearings' despite my constant scribes I sent to the ~~Public Defender~~ ^{Public Defender}. He was the one who suggested he handle my case instead of me. He did this on the record and Judge _____ seemed to agree w/ him as if I can stomach this racist, retarded handling my case. I physically can not sit threw 15-20 days of trial being represented by this guy. A man w/ any professionalism about himself would have withdrawn when I asked him to, but the Judge seemed to side w/ _____. _____ almost desperate plead to represent me. I'm calm so I didn't go off. I started to "use my pen" and handle it

2.

appropriately. Write the proper authorities and get what feels like prejudice, from the judge, lifted. It is my constitutional right to be represented by adequate lawyers or to represent myself. If I feel uncomfortable I should be able to change lawyers. It is not too much a burden to get another lawyer. I demand another one, I'm being subject to ineffective assistance and it could lead to this case being ~~extremely~~ ^{extremely} disorderly. That would lead to a New Trial for ineffective assistance and unfair treatment by the judge.

2. I was denied the right to represent myself.

This conflict is degrading. I represent myself on cases in the last couple of years. And I solemnly state a civil case.

That case is still pending, case #

The

2 criminal cases were Agg Assault w/ a deadly weapon

. and Agg Assault on Staff

. Feel free to look them

up. I have proven I can complete a full trial in its entirety. From voir dire to closing argument & threw sentencing, Appeal, and PCR.

I ordered a Rule 11 just so I can have evidence I was competent. I knew I had a Mental Health history. Just as I suspected the Rule 11 results came back in my favor, "Competent to stand trial." Its only fair I get to represent myself. Especially w/ my history of doing my own law work. I feel oppressed by the judge. This is Mental Health discrimination. I am not ~~psycho~~ ^{psycho} or crazy. I had alot riding on my representing myself in this case. I even offered the court the fact I'd be willing to take another Rule 11 test to get a 2nd opinion. The judge rudely denied that suggestion. I am currently appealing the denied motion for pro-per status w/ the Supreme court because the state declined its jurisdiction. Note I know the language, can create winning opening and closing statements.

3.

I can collect evidence, question witnesses w/ no objections. I really have experience. It is an insult to be competent per professional psych test and be denied the privilege of representing myself. I have that American right/privilege. My liberties are being stripped away unfairly and I am doing all I can to get my rights back. The court is clipping my wings a disabling my Hero. That's why I write today. Judge said in a almost abusive manner that I can not get a different lawyer, and I can't represent myself. I'm stuck up. I need a recommendation to the courts so the courts stop this unfairness and vacate judgement. Your recommendation would mean the world over I can use that as a weapon.

I complain today because I'm looking @ _____ for killing my cellmate. This is no joke. I trust noone but myself to handle my case. And I believe the judges decision should be overturned. 1st a recommendation from the commission is in order. Please stress how important to me this is. Noone has to do my time but me, I deserve the opportunity to represent myself. The judge has created a conflict. An abusive situation. Please make a recommendation. I'd prefer to handle the case and change lawyers so somebody who is easier to work up can be my legal advise. Your recommendation would be appreciated.

Dated this _____ day of _____,