

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-352

Judge:

Complainant:

ORDER

December 27, 2024

The Complainant alleged bias and improper legal rulings by a superior court judge hearing 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, Colleen E. Concannon, and Joseph C. Kreamer did not participate in the consideration of this matter.

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

To: Commission on Judicial Conduct
RE: Judge

The County Court has an obvious problem with sex offenders and the Judges that oversee their petitions and motions. These Judges, most notably and now , do not even attempt to hide their animosity and bias towards this demographic, and specifically, this complainant.

This complainant has faced undeniable retaliation from both the , and the aforementioned Judges, in part through these Judges atrocious decisions premised on their own made-up facts, and likely, their illicit ex-parte communications with Probation Officials and Officers. Judge most recent “Orders” are despicable, contain misstatements of fact (not to mention gross misspellings, such as the word “date” being spelled “ate”, despite the angry red font with which it was typed), and are geared to punish this complainant for his previous complaints against judicial officers in County. There is no logical or factual basis for Judge emotionally driven Orders, and his minute entries show a lack of judicial temperament and an inability to comprehend and digest facts in stunning fashion for a sitting Judge in County.

First, Judge , without any explanation, denied a petition for earned time credit. Again, **without any explanation or minute entry** as to why this complainant’s statutorily earned time credit was being denied, Judge did so anyway. Additionally, he did so in the absence of any party’s opposition, including the State of Arizona. This complainant has a very difficult time believing that it is commonplace for earned time credit to be denied, completely unopposed, and without providing even a sentence of explanation or justification.

Exhibit 1.

A close look at Exhibit 1 shows an even more concerning behavior. This petition was filed on _____, at _____. **It was never put on the docket.** It was sent directly to Judge _____ from Probation to receive his stamp of denial, *and then* Judge _____ put it on the docket. All of this occurred, miraculously, in a less than _____ timeframe. Meaning, Judge _____ received advanced notice of this petition, it was sent directly to his office, he denied it without explanation, *and then* docketed the denial. Furthermore, neither this complainant nor his attorney were served with any of this information, **ever.**

Even more concerning, was that this setup took place in part because Probation actually filed the Petition for Earned Time Credit **six-weeks after** the termination date of Probation. *See Exhibit 1 – “_____.”*

Less than _____ weeks later, Judge _____ engaged in the exact same behavior by denying the Order of Discharge from Probation. Again, Judge _____ provides no explanation, no minute entry, and even gave this petition so much attention, that the one-syllable, four-letter word “date”, is misspelled. **Exhibit 2.** Indeed, it might be easier if the Judges, particularly _____, who rule on petitions stemming from the sex offender unit, just invest in a stamp that says “**DENIED**”, to at least prevent future embarrassing grammatical errors.

Finally, and most egregiously, we arrive Judge _____ denial of early termination and denial of earned time credit following a petition filed by attorney _____ of _____, on _____. **Exhibit 3.**

First, Judge _____ had **no business even hearing this Petition.** This petition was sent directly to the sitting Judge on the calendar, Judge _____, who’s office confirmed receipt of the petition to my attorney via email. Then, over 30-days passed with **no opposition** from Probation, **no opposition** from the State of Arizona, and no entry from the Court.

On _____, after a receiving a Request for Order from Attorney _____, Judge _____, **not Judge _____**, came onto the record and denied both early termination and earned time credit. This time, Judge _____ at least attempted to provide an explanation; but as

will be detailed below, his explanation is contrived from thin air, contains obvious fabrications, and defames this complainant.

Initially, Judge [redacted] Minute Entry states that “ [redacted] ...” It is very interesting that Judge [redacted] his opinion with this false statement, as the complainant is not on lifetime probation, as Judge [redacted] himself points out when he names the termination date in the last sentence of Order as being [redacted].

Second, Judge [redacted] incorrectly states that “ [redacted] .” This is false and misleading at best. Complainant was discharged from **two agencies**, and he cannot complete treatment because Probation has already told the Court that they “ [redacted] .”

However, Judge [redacted] tries to circumvent this obvious misstatement and ignorance of facts by adding his own narrative that came from *absolutely nowhere* on the record when he opines that – “ [redacted] .”

The foregoing statement is egregiously and demonstrably incorrect and can only mean one of two things; (1) Judge [redacted] is utterly incapable of reading and comprehending basic facts and reports and applying them to a case, or (2) Judge [redacted] intentionally ignored the reports and the facts that would contradict this statement, so that he could contrive a pseudo-justification for denying this complainant the relief he was requesting. This complainant cannot determine which is more damaging and reflective of the [redacted] Court’s utter disdain for sex offender probationers.

Meanwhile, while Judge [redacted] opines that it was the complainant’s “ [redacted] ” that prevented him from being accepted into a treatment agency, his “opinion” is very blatantly contradicted by the actual report from the treatment agency, which states the following conclusions regarding the complainant (*See Exhibits 1 & 2*):

“

”

NOWHERE in this report does it state a single word about “ ” contributing to the complainant not being in treatment. In fact, it says the exact opposite. The Complainant is not in treatment, quite obviously, because *he is fully rehabilitated*, and treatment agencies (unlike Judge) actually follow their ethical and professional responsibilities and guidelines; one of which is to not force treatment onto anybody who does not require it. **THAT** is the reason why the complainant is not in treatment, and any inference otherwise is an outright fabrication of the truth and a bold-faced LIE specifically crafted to harm and retaliate against this specific complainant.

It is glaringly obvious that each of the foregoing decisions and actions taken by Judge were done out of sheer animus and retaliation. Retaliation, for complaining against his colleague, Judge , and for filing a complaint against his colleagues and co-workers at the (“ ”). Where the ends, and the Court

begins, is no longer a discernable place. They are the same entity, acting in concert with one another, and this creates a complete lack of ability for the judiciary to remain independent. What Judge _____ has done over the past several months has been deplorable, what's more concerning, is that he does not even care to try and hide just how biased he is, or his disdain for this complainant. His Order contains misspellings, his denials are in giant red font because the actual form and template of the petition does not even have a place for denial (what does that say?), and his minute entries are deliberately contrived, egregiously incorrect, and premised solely on malice and his own personal emotions.

The actions of Judge _____ should be investigated. None of this took place in a vacuum, this was conspired and contrived through a thought-out process where Judge _____ actually came into the calendar of another Judge, just to pick up a case of a defendant he did not like, and personally deny his requests on erroneous and fabricated grounds. The "appearance of impropriety" cannot be denied, and "*appearing* impartial" or "*appearing* biased", is the mildest way any reasonable observer would qualify Judge _____ and his behavior against this complainant.

This Judge needs to be investigated, as does his relationship with _____ Officers. His bias and animus has had a detrimental effect on my life, my family's life, and my entire future. I would also sincerely appreciate not being retaliated against by _____ or _____ Court Judges for lodging this Complaint, as I have been repeatedly for the past year.

Respectfully Submitted;

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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.**