

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-492

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Judge:

Complainant:

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**ORDER**

March 28, 2025

The Complainant alleged a superior court judge failed to follow precedent by incorrectly citing the prior judge in a criminal case.

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).

Copies of this order were distributed to all appropriate persons on March 28, 2025.

2024-492

**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.

**Subject: Complaint Regarding Judicial Conduct**

I am filing a formal complaint against Judge [ ] due to actions that I believe demonstrate a lack of diligence and fairness in handling my case.

**Incorrect Citation of Precedent:**  
 In denying my motion to seal my conviction, Judge [ ] incorrectly cited a [ ] case involving Judge [ ], asserting that the motion in that case was denied. However, this statement is factually incorrect, as the motion in the [ ] case was granted. This misrepresentation of precedent reflects either a failure to properly review the cited case or an intentional mischaracterization of its outcome. The reliance on incorrect precedent severely undermines the fairness of the decision-making process and calls into question the validity of the ruling in my case.  
 Judges are held to the highest standards of legal accuracy because their decisions can profoundly affect people's lives. Misstating legal precedent undermines trust in the judicial process and deprives litigants of the fair and impartial review they are entitled to. In my case, the reliance on an incorrect legal citation had a direct and negative impact on the outcome of my motion. It is concerning that such an error occurred in a matter as significant as the sealing of a conviction, which has substantial implications for a person's ability to move forward in life.

**Failure to Meet the Court's Deadline:**  
 Judge [ ] failed to issue a ruling on my motion within the deadline set by the court, which was [ ]. I waited over a month beyond this deadline without receiving a decision. This delay not only violates the timeline established by the court but also disregards the importance of timely justice in legal proceedings. Such delays cause unnecessary stress, uncertainty, and disruption to the litigants involved, eroding confidence in the judicial process.  
 Despite the importance of this matter to my case, I waited over a month past the prescribed timeline without a decision. Deadlines in legal proceedings exist to ensure timely and efficient resolution of disputes and to uphold the principle that "justice delayed is justice denied."

By exceeding the court's own timeline, Judge [ ] not only caused unnecessary uncertainty and stress but also disrupted my ability to plan and take the next steps in addressing my legal situation. Such delays, especially when combined with incorrect rulings, create the impression of judicial indifference and a lack of accountability.

**Impact of Actions:**  
 The combination of relying on incorrect precedent and failing to issue a timely ruling has caused significant prejudice to my case. I have been denied a fair and timely consideration of my motion, which has adversely impacted my ability to address and resolve critical matters related to my conviction. These actions demonstrate a lack of diligence and accountability, which is contrary to the standards expected of the judiciary.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

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**Request for Review and Remedy:**  
I respectfully request a comprehensive review of Judge \_\_\_\_\_ handling of my case, particularly their reliance on incorrect precedent and failure to meet the court's own deadline for issuing a ruling. Additionally, I ask that appropriate corrective measures be taken to address these issues and to ensure adherence to the principles of fairness, diligence, and timely decision-making in future cases.

The combination of citing incorrect precedent and failing to meet procedural deadlines has caused significant harm to my case. I have been unfairly denied the opportunity to seal my conviction, which has ongoing consequences for my ability to rebuild my life. These actions have not only impeded my progress but also highlighted systemic concerns about judicial responsibility and the equitable treatment of litigants.

Furthermore, the delay and erroneous ruling in this case send a troubling message about the judicial process. Litigants rely on judges to act as impartial and diligent arbiters of the law. When that trust is eroded through avoidable errors and unnecessary delays, the integrity of the judicial system is called into question.

Judges are entrusted with significant authority to interpret and apply the law. With that authority comes the obligation to act with precision, diligence, and impartiality. Missteps, whether through carelessness or a failure to respect procedural deadlines, undermine public confidence in the judiciary.

The denial of my motion, compounded by the delay in issuing a decision, exemplifies why accountability within the judicial system is so crucial. Errors like these can disproportionately impact those who are already facing challenges, such as individuals seeking to seal convictions to improve their opportunities for employment, housing, and overall reintegration into society.

In light of the above, I respectfully request the following actions:

A thorough review of Judge \_\_\_\_\_ conduct in this matter, including the misrepresentation of precedent and failure to adhere to procedural deadlines.  
Consideration of appropriate corrective measures, including training or review protocols, to prevent similar errors in future cases.

I believe these actions are necessary not only to address the specific issues in my case but also to reinforce the principles of fairness, accuracy, and accountability within the judicial system.



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Dated: \_\_\_\_\_

By. \_\_\_\_\_  
The Honorable Judge  
JUDGE OF THE  
COURT OF ARIZONA, COUNTY

ARIZONA

COURT,

COUNTY

Tel:

Fax:

JUDGE: HONORABLE

CASE NO:

COURT REPORTER: NONE

DATE:

STATE OF ARIZONA,  
Plaintiff,

vs.

Defendant.

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**ORDER: DENYING**

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The defendant filed an application to seal criminal records. The State cited to insufficient information and took no position.

In , the defendant applied to set aside the conviction. Judge denied the request because the defendant had not been compliant with the probation department and was discharged unsuccessfully.

For the same reasons, **IT IS ORDERED** the petition to seal records is denied.

DONE this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Judge of the Court,

**Distribution List:**

County Attorney's Office

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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.**