

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-343

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Judge:

Complainant:

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**ORDER**

April 5, 2024

The Complainant alleged a municipal court judge held him on false information at his initial appearance 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).

Commission member Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 5, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2023-343**

**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.

Judge broke Canon (1) of the Arizona Code of Judicial Conduct / Conduct Rule 1.2, 1.1.

Judge broke Canon (2) of the Arizona Code of Judicial Conduct / Conduct Rule 2.2, ~~2.3~~ (A)(B)

Judge Also engaged in Judicial misconduct by not throwing out my case based off the evidence like the court prosecutor did.

Her voice changes when she says there's no evidence. (All one sided) // physical

physical, or documentary evidence connects me to any alleged crime  
lied about saying that I committed.

The issuance of my arrest warrant by \_\_\_\_\_ on the \_\_\_\_\_ of \_\_\_\_\_ should not have even been issued because of a lack of probable cause. *A motion for full dismissal is appropriate.* \_\_\_\_\_ should have looked at the evidence as the \_\_\_\_\_ County Prosecutor did and dismissed all charges because more evidence was needed, as the County Prosecutor told me as to why they decided not to bring charges against me. This is why I am filing a complaint against \_\_\_\_\_ and I believe it is warranted. My life has been turned upside down and I have suffered tremendously because of this faulty judgement. I am attaching the discovery in my case and will provide anything that is needed.

End of  
Statement  
1

According to the Arizona Code of Judicial Conduct An independent, fair, and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society. Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the rules contained in this code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system. Judges should maintain the dignity of judicial office at all times and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.

Start of  
Statement  
2

On \_\_\_\_\_ during my first court date \_\_\_\_\_ broke her judicial oath and the rules of the Arizona Code of Judicial Conduct. On this day she stated to me in court, " This was an improper statement made by Judge \_\_\_\_\_ being that she only had one side to the story. I could only assume the nonsensical Lethality she was referring to be the alleged incident that

took place on \_\_\_\_\_ when \_\_\_\_\_ and her daughter lied to the \_\_\_\_\_ about me  
assaulting them with a \_\_\_\_\_ and a \_\_\_\_\_ I then received a \_\_\_\_\_ dollar cash only bond  
and she then stated again that “  
She then stated that there was “

“ The only physical evidence that there was a \_\_\_\_\_ and a \_\_\_\_\_ that \_\_\_\_\_ alleged  
belonged to me. Judge \_\_\_\_\_ then stated that “  
” She then re stated

“  
”  
Canon 1 of the Arizona Code of Judicial Conduct states **A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.**

1. *Public confidence in the judiciary is eroded by improper conduct, and conduct that creates the appearance of impropriety. This principle applies to both the professional and personal conduct of a judge. Improper can be defined as NOT IN ACCORDANCE WITH ACCEPTED RULES OR STANDARDS. Impropriety can be defined as an improper or indecorous act or remark or failure to observe standards or show due honesty or modesty, improper language, behavior, or character. Indecorous can be defined as not in keeping with good taste and propriety.*

3. *Conduct that compromises or appears to compromise the independence, integrity, and impartiality of a judge undermines public confidence in the judiciary.*

*Impartiality means the absence of bias or prejudice in favor of, or against, particular parties, or classes of parties, as well as maintaining an open mind in considering issues that may come before the judge.*

5. *Actual improprieties include violations of law, court rules, or provisions of this code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge. An appearance of impropriety does not exist merely because a judge has previously rendered a decision on a similar issue, has a general opinion about a legal matter that relates to the case before him or her, or may have personal views that are not in harmony with the views or objectives of either party.*

Judge \_\_\_\_\_ violated **CANON 1 RULE 1.1 of the ARIZONA CODE OF JUDICIAL CONDUCT** by her professional conduct through the statements she made. Judge \_\_\_\_\_ making these statements displayed the appearance of impropriety. A judge is supposed to be impartial and not biased. She did not comment on the merits of the case or the law. Speaking about the lethality of the case is not speaking or giving her opinion about the law involved in the case. Which she is allowed to do. Commenting on the lethality of a case while only having one set of facts, the defendant's version erodes the public confidence in the duty of a judge to be neutral. This supposed lethality she adamantly stated she had never seen before never happened. This lethality she was referring to be the alleged incident that occurred on \_\_\_\_\_. An impartial reasonable person would have taken in all of the information and kept their comment until later in the trial when they knew for sure that the event, they gave their opinion on actually occurred. My bank statements and telephone records show and prove Judge \_\_\_\_\_ commented and passed judgement on me of the false reality that took place on \_\_\_\_\_

Judge \_\_\_\_\_ then spoke about physical evidence and pictures. She stated there was an indication of physical evidence to back up what the charges were. This physical evidence was a \_\_\_\_\_ and a \_\_\_\_\_ that \_\_\_\_\_ took pictures of and said I assaulted her and her daughter with. The definition of indication can be referred to a sign or piece of information that indicates something.

\_\_\_\_\_ giving the \_\_\_\_\_ a \_\_\_\_\_ and \_\_\_\_\_ does not indicate anything.  
\_\_\_\_\_ submitted her own \_\_\_\_\_ and son's \_\_\_\_\_ and said they were mine. Turns out, there could not have been any indication of physical evidence because I WAS IN \_\_\_\_\_ when this alleged physical evidence she submitted and said I used to harm her and her daughter that took place on \_\_\_\_\_. Here we have Judge \_\_\_\_\_ speaking about the weight of the evidence and comparing it cases she has seen in her career without hearing the whole story or gathering all the evidence. It is not the weight of the entire evidence, but just one side of the evidence. This is professional conduct that compromises or appears to compromise the independence, integrity, and impartiality of the judiciary, and undermines the public's confidence. Next, Judge \_\_\_\_\_ based off this false reality she had in her mind assigned me a \_\_\_\_\_ dollar cash only bond.

Not only did she inject her opinion into the case about facts of the case that were not yet revealed completely or ripened, but she also then made me suffer off of these false facts and stay another night in jail when I should have been allowed to go home. This professional conduct in Judge \_\_\_\_\_ courtroom passed the test of the appearance of impropriety. This conduct would create in reasonable minds, Like the \_\_\_\_\_ County Prosecutors, who had the same evidence

and decided to not file on one charge against me, a perception that Judge [redacted] violated this code by her conduct that reflects adversely on her HONESTY, IMPARTIALITY, TEMPERMENT, or FITNESS to serve as a judge. A judge is supposed to hear both sides of a case then pass judgement or inject their opinion and how the case before them compares to a career of cases they have judged.

A judge is not supposed to hear one side then prematurely inject their opinion. It should be noted again that an appearance of impropriety does not exist merely because Judge [redacted] has previously rendered a decision on a similar issue, has a general opinion about a legal matter that relates to the case before her, or may have personal views that are not in harmony with the views or objectives of either party. Judge [redacted] said nothing about similar decisions like this, mentioned nothing about the law, and did not give any personal view that was not in harmony with what I wanted or preferred. She made her opinions and judgement to give me a no bail bond and judge me in harmony with one side of the evidence.

### **CANNON 2- A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.**

Judge [redacted] violated [Canon 2.2 \(Impartiality and Fairness\)](#), which states a judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially. *Fairly* can be defined as just, rational, appropriate, ordinary, or usual in the circumstances. *Rational* can be defined as based on or in accordance with reason or logic. *Appropriate* can be defined as suitable or proper in the circumstances. *Ordinary* can be defined as with no special or distinctive features; normal. *Usual* can be defined as typically occurring or done; customary. It was not rational for judge [redacted] to judge a defendant off the plaintiff's evidence or word of events solely.

In a criminal law a rational and reasonable judge listen to two sides of a criminal case when a person's life and reputation are at stake. *Logic* is defined as reasoning conducted or assessed according to strict principles of validity. *Validity* is defined as the quality of being logically or factually sound, soundness or cogency. It was not logical for Judge [redacted] to state " [redacted] she had ever seen when at the time of her statement she had only seen the plaintiff's evidence WHICH IS AND WERE ALL FABRICATED LIES.

It is never appropriate for a sitting judge to think it is suitable or proper to make a comment about their case before the case ripens and they have all the facts. In my case, Judge [redacted] passed judgement on me and the case before her, before she knew I was not even in the state during the alleged incident that she labeled one of the most " [redacted] " she has ever seen. It is certainly not ordinary for a judge in any court room in any county or state in America to comment and give their opinion the way judge [redacted] did about my case prematurely. If Judge [redacted] was acting truly impartial, she would not have vilified me and made it seem like I was a menace to society and people on the streets needed to be protected from me. It was not fair to make me sit in jail another night on a no cash bond when she did not have all the facts of the case. The facts of the case show [redacted] is a liar. Not I.

**RULE 2.2 COMMENT 1**, to ensure impartiality and fairness to all parties a judge must be objective and open-minded. Objective is when a person or their judgement is not influenced by personal feelings or opinions in considering and representing facts. Judge [redacted] was not being objective when she made these comments in my court hearing. A truly objective judge would have waited until I presented my evidence. Then and only when it could have been proven beyond a reasonable doubt that I was in the state when the alleged incident happened and that there was actual physical evidence linking me to a crime, not just the word of a lying woman and her daughter, would Judge [redacted] comments have been appropriate and warranted. Judge [redacted]

comments were not open-minded and unprejudiced.

**RULE 2.3 Bias, Prejudice, and Harassment (a)** A judge shall perform the duties of judicial office including administrative duties, without bias or prejudice. *Bias* can be defined as prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair. Judge [redacted] remarks in the court room showed her bias towards me and her favoritism to the plaintiffs and the [redacted] version of the facts. The problem with this is that [redacted] lied to the [redacted] which in turn made Judge [redacted] comments faulty and unwarranted. Judge [redacted] Prejudice was her preconceived opinion about a crime I was alleged to have committed that was not based on reason or the facts but on her opinion of a lethal crime she was sure I committed.

(b) A judge shall not in the performance of judicial duties, by words or conduct manifest bias or prejudice. Judge [redacted] conduct through the statements she made to me manifested bias and prejudice towards me. If she had waited to hear all the facts and let me present my evidence showing that I was not in the state during one of the major alleged incidents, I believe she would not have made those remarks. If Judge [redacted] would have let me submit my evidence of phone records and bank statements showing It was physically impossible for me to be in [redacted] and be in [redacted] at the same time this case would not have made it to her list of the most " [redacted] " cases she has ever seen in her career.

[A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.](#) Examples of manifestations of bias or

prejudice include but are not limited to epithets; slurs; demeaning nicknames; negative stereotyping; attempted humor based on stereotypes, threatening, intimidating, or hostile acts. A stereotype is a widely held but fixed and oversimplified image or idea of particular type of person or thing. Judge [redacted] unwarranted and negative comments painted me as a hardened criminal that hurts women and little children.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward a person. Denigrate can be defined as criticize unfairly; disparage. This is exactly what occurred when Judge [redacted] made her comments towards me before she had all of the facts. Hostility can be defined as unfriendliness or opposition. Judge [redacted] comments to me were hostile. Aversion can be defined as a strong dislike or disinclination. It is easy to see through Judge [redacted] tone and the way she spoke to me that she disliked me.

**RULE 2.11 DISQUALIFICATION (a)** A judge shall disqualify himself or herself in any proceeding in which the Judge's impartiality might be reasonably be questioned, including but not limited to the following circumstances (1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding. The comments Judge [redacted] made in court towards me without having all of the facts, like a judge should, clearly show bias and prejudice. Why else would she say these things if she was not biased? Under this rule, a judge is disqualified whenever the judges impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (a)(1) through (5) apply.

This is why I filed my complaint. I have been in front of Judges before, and I have never been demeaned or treated this unfairly ever. I believe all of the evidence I put forward will show violated the oath she swore to take when she had me in her court room.

KIND REGARDS