

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-414

Judge:

Complainant:

ORDER

March 29, 2024

The Complainant alleged a superior court commissioner made improper legal rulings 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 29, 2024.

2023-414

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.

On or about _____ Commissioner _____ Court _____ County, Arizona issues a ruling that is outside of the Law violating Rule 1.1 Arizona Code of Judicial Conduct, Arizona Supreme Court Rule 81, Rules of the Supreme Court.

Commissioner _____ failed to substantiate "reasonable grounds" for granting Rule 11 Hearing Pleading signed by _____ stipulating that substantial evidence exist to prove Defendant _____ qualify under the elements of Rule 11 Arizona of having a mental impairment proving incompetency to understand the criminal proceedings against her in this matter.

_____ allege a "

_____ Commissioner _____ Court _____ County Arizona violated Rule 2.6 (A) Ensuring the Right to Be Heard; Coercion Tactics.

Commissioner _____ refused to allow Defendant _____, a person with legal interest in the proceedings to " _____ " concerning Rule 11 Pleadings, Examinations.

Commissioner _____ refused to ACCEPT Defendant _____ Medical Reports dated _____ as evidence of Competency to proceed with already scheduled trial in _____.

Commissioner _____ projected the appearance of "impropriety" by THREATENING TO CONFINE DEFENDANT TO JAIL WITHOUT REASONABLE CAUSES ESTABLISHED PROVING INCOMPETENCY.

Defendant _____ has a right to a Speedy Trial under the Privileges, Protections of the Sixth Amendment of the Constitution without any unnecessary delays.

_____ failed to properly file a Motion to Continue after Defendant _____ was arraigned in _____ Court _____ enforceable under Arizona Rules of Criminal Procedure, Rule 8.5 (a)(b). Commissioner _____ non compliance with the law in granting Rule 11 Hearing without acknowledging Arizona Rules of Criminal Procedure statutes, codes, regulations as annotated. Rule 8.5; 8.1(d) Priorities in Scheduling Criminal Cases.

Commissioner _____ has full knowledge, intelligence of the proceeding _____ Court Orders/Affirmations issued by Honorable _____ in _____ Court of Arizona on _____ setting affirmative Trial Start Dates including Last Day as _____ Non compliance with this Judicial Order results in violations of 14th Amendment Procedural Due Process statutes, rules, regulations for every defendant having legal interest in this proceeding.