

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-432

Judge:

Complainant:

ORDER

April 12, 2024

The Complainant alleged irregularities with three orders docketed in his superior court criminal case, and that a superior court judge improperly filed a motion in his 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 members Denise K. Aguilar and Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 12, 2024.

Executive Team
Arizona Supreme Court
1501 W. Washington St # 411
Phoenix, AZ 85007

Re: Open Investigation

Dear Executive team I am forwarding you a copy of a Complaint. On or about _____, the Clerks office filed a Court order. On or about _____, the same petition/order was filed by the Court Clerks office. On or about _____ a pleading by Hon. _____ was docketed. Three pleadings/order are filed on same case. I don't believe good faith is at hand. On or about _____ Appellant filed a petition seeking review. I am asking for a investigation by the Executive Team of the _____ Court be conducted, why are so many pleadings/order are being filed. I want to go on recorded and filed this Complaint. Before I am railroaded I am filing this Complaint, Three orders are outrageous.

C: File

IN THE
COURT
STATE OF ARIZONA

FILED:
AMY
CLERK
BY: _____

STATE OF ARIZONA,)
)
 Respondent,)
)
 v.)
)
)
 Petitioner.)
)
)

ORDER DISMISSING PETITION FOR REVIEW

The record shows the _____ court, in an order dated _____, and entered on _____ (Order), denied a motion for rehearing of an order dismissing a petition for post-conviction relief. Petitioner filed a petition for review in this court on _____, seeking review of the Order. A petitioner who seeks appellate review of the _____ court's final decision in a post-conviction relief proceeding must file a petition for review in this court within _____ days after the _____ court's decision. See Ariz. R. Crim. P. 32.16(a)(1), (3), 33.16(a)(1), (3). The petition for review was untimely because it was not properly filed within _____ days of the _____ court's final decision.

A review of the Order indicates Petitioner was not incarcerated at the time the Order was made and entered. Similarly, the petition for review indicates Petitioner was not incarcerated when he mailed the

**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.**