

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-476

Judge:

Complainant:

ORDER

April 12, 2024

The Complainant alleged improper legal rulings and violation of rights by a superior court judge hearing 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 Denise K. Aguilar did not participate in the consideration of this matter.

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

Comp

23-476

Attachments: Search warrant affidavit.pdf

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>;

Subject: Formal Complaint on Judge

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day, I want to file a formal complaint against Judge _____ of _____ County courts. She knew that I did not have an outstanding warrant for my arrest for a failure appear. But she still violated my 13th amendment rights. Thank you so much for your help on this. Also inside the pdf for the affidavit for a search warrant are two failure to appear with someone else name on it. I am currently being falsely detained and receiving double jeopardy.

JUSTICE COURT

Plaintiff Vs DOB: Defendant	Case No: Complaint No: LF Agency: POLICE Agency Report #:	SUMMONS (TEN PRINT FINGER PRINT AND / OR DNA SAMPLE REQUIRED)
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TO: _____

[X] YOU ARE ORDERED to appear at ANY LOCAL LAW ENFORCEMENT AGENCY (Required for all felonies, domestic violence, sexual or DUI offenses) during business hours any time prior to your court appearance date to be photographed and ten-print fingerprinted. Fingerprints must be provided to the Court before your court date.

YOU ARE SUMMONED to appear before this court for the following reason:
(List reason for summons; e.g., filing of indictment, information or complaint (list charges or other reasons)).

COUNT 1- 13-3408A1 - NARCOTIC DRUG-POSSESS/USE - FELONY 4TH DEGREE
COUNT 2- 13-3415A - DRUG PARAPHERNALIA-POSSESS/USE - FELONY 6TH DEGREE

Date of Offense: _____ PD _____

YOU ARE ORDERED TO REPORT on _____ at _____

IMPORTANT. YOU ARE REQUIRED TO BRING THIS SUMMONS TO THE LAW ENFORCEMENT ENTITY AT THE TIME YOU APPEAR FOR FINGERPRINTS AND/OR A DNA SAMPLE. YOU MUST ALSO BRING THIS SUMMONS TO YOUR COURT APPEARANCE TO PROVE THAT YOU HAVE PROVIDED FINGERPRINTS AND/OR A DNA SAMPLE, AS ORDERED ABOVE.

IF YOU FAIL TO APPEAR AS ORDERED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

Date: _____ Judicial Officer: _____

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advanced of a scheduled court proceeding.

CERTIFICATE OF PERSONAL SERVICE

I swear that I personally served this summons as follows:

Date Received: _____ Date Served: _____ Time Served: _____

Person Served: _____

Location Where Served: _____

_____ County.

Officer Serving Summons

CERTIFICATE OF SERVICE BY MAILING

I certify that a copy of this document was sent by Constable Registered or Certified mail, return receipt requested, to the defendant at the above-listed address.

Dated: _____
_____ CLERK

PLACE FOR THE LAW ENFORCEMENT AGENCY'S INKED STAMP(S) TO CONFIRM THAT THE DEFENDANT PROVIDED FINGERPRINTS AND/OR A DNA SAMPLE.

IN THE COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF

Date: _____ o'clock 9 m.
Clerk
By: _____ Deputy

STATE OF ARIZONA

vs

Div. _____ Date _____

Hon. _____

TIME SET FOR Arraignment

Defendant [D-1]

[MINUTE ENTRY] [HEARING]
[MINUTE ENTRY] [SENTENCING or DISPOSITION CONTINUED]

START TIME: _____ END TIME: _____
Victim case: yes no

County Attorney/Attorney General is present via phone video TEAMS by _____
Defendant is not present in custody via phone video TEAMS presence waived
Defendant is represented by _____ present via phone video TEAMS

Warrant shall issue: Nationwide/Statewide/Surrounding states, bond set in the amount of \$ _____ cash/surety.

IT IS ORDERED a Summons be re-issued, to the following address, ordering Defendant to appear for
The Defense requests the Court read the Indictments to Defendant.
The Court does not have copies of the Indictments to read and
provides the matter.

The State is directed to provide an updated address to the Clerk's Office for service of Summons.

IT IS ORDERED setting continuing:

ARRAIGNMENT _____ at _____ in Div. _____
CASE MGMT CONF _____, 20____, at _____, m in Div. _____ [AE /AE]
CHANGE OF PLEA HRG _____, 20____, at _____, m in Div. _____ [AE /AE]
PRETRIAL CONF _____, 20____, at _____, m in Div. _____ [AE/AE]
FORFEITURE HRG _____, 20____, at _____, m in Div. _____ [AE]

Parties and Surety required to show cause why the bond should not be forfeited.

PRESENTENCE HRG _____, 20____, at _____, m in Div. _____ [AE]
SENTENCING _____, 20____, at _____, m in Div. _____ [AE]
DISPOSITION _____, 20____, at _____, m in Div. _____ [AE /AE]
_____, 20____, at _____, m in Div. _____

DEFENDANT MUST BE PRESENT or a warrant may issue.

Time will be excluded non-excluded pursuant to Rule 8 pursuant to Rule 11 waiver by Defendant

Defendant waives Rule 15.8. Rule 15.8 does not apply. Counsel for Defendant requests
the Defendant be released.

IT IS ORDERED confirming existing conditions of release.

IT IS ORDERED modifying release conditions: confirms cash secured in
Counsel for Defendant shall file a Motion regarding modification of release conditions.

THEREAFTER (OFF THE RECORD) the Court confirms Defendant was released on his own recognizance
and waives any order regarding the bond.

<input checked="" type="checkbox"/> County Atty (e)	<input type="checkbox"/> AG (e)	<input type="checkbox"/> Def/Atty.	<input checked="" type="checkbox"/> PD (e) Court Clerk
<input checked="" type="checkbox"/> Victim Services (e)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Detention Records (e)	
APP (a)	<input type="checkbox"/>	<input type="checkbox"/> Transport (cert)	Court Reporter <u>FTM Coaker</u>
<input checked="" type="checkbox"/> Div _____ <input type="checkbox"/> w/file	<input type="checkbox"/>	<input type="checkbox"/> PT Services (e)	Interpreter _____
<input type="checkbox"/> CT Admin - INT (e)	<input type="checkbox"/>	<input type="checkbox"/> Sheriff Warrants (e) (if a warrant is issued)	
<input type="checkbox"/> Financial Services (e)	<input type="checkbox"/>	<input type="checkbox"/> Bond Poster	
Other _____	TOTAL <u>0</u>		
Notice of Exhibit Deadline provided			TIME SET FOR Rev 4/1/2022

SEARCH WARRANT

CLERK

AFFIDAVIT FOR SEARCH WARRANT

In the County of
Police Department

Arizona (County)

(Cell-Site Simulator, Telecommunication Records, Account Details, and
Cellular GPS Tracking)

DR:
SW#: _____

TO ANY PEACE OFFICER IN THE STATE OF ARIZONA:

Proof by affidavit, having been made to me this day pursuant to A.R.S. 13-3017, and Title 18 U.S.C 2703 (Pen register or a Dialed Number Recorder), A.R.S 13-4293 (Tracking Device Search Warrant) and A.R.S. 13-4294 (Cell Site Simulator Device Search Warrant) by Your Affiant, Detective _____, a sworn police officer, for the Town of _____ State of Arizona, and being duly sworn in the State of Arizona, indicates that there is probable cause to believe that:

Your Affiant, Detective _____, a sworn police officer, for the Town of _____, State of Arizona, being first duly sworn, upon oath, deposes and says:

On _____ in the Counties of _____ and _____ State of Arizona, the crime(s) of:

- 13-1904(A)(1) Armed Robbery
- 13-1304(A)(4) Kidnapping
- 13-1508(A) Burglary In The First Degree
- 13-1204(A)(2) Aggravated Assault
- 13-1204(A)(3) Aggravated Assault
- 13-2904(A)(6) Disorderly Conduct
- 13-3102(A)(1)(a) Misconduct Involving Weapons
- 13-1802(A)(5) Theft

was/is being committed by the person using the communications device to be identified is named or described as follows:

SEARCH WARRANT

Described as a _____, DATE OF BIRTH: _____, feet inches in height, _____ pounds in weight with
and _____ . The Social Security Number issued to _____ is _____ .

AND

(Description of Device)

() _____ cellular telephone (Which was confirmed through _____) as
_____ ESN#: _____ which _____ has been using to contact
his girlfriend through phone calls and text messages.

Pertaining to the mobile telephone number of:

()
ESN#:

There is now being concealed certain items described as:

Any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature that is transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system but that does not include any of the following:

- (a) Any wire or oral communication.
- (b) Any communication made through a tone-only paging device.
- (c) Any communication from a tracking device.

Your Affiant requests to use a Signal Information Collection System/Cell Site Simulator Device that reads electronic signals emitting from cellular telephones in an attempt to identify the Electronic Serial Number's (ESN), Mobile Identification Number's (MIN), Universal Fleet Mobile Identification (UFMI), and/or International Mobile Subscriber Identification (IMSI) number(s).

Your Affiant requests to use a Signal Information Collection System/Cell Site Simulator Device to pinpoint electronic cellular telephone signals with directional antennas and assist in pinpointing the location of the cellular telephone(s) from which the signals are emitting.

**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.**