

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-023

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Judge:

Complainant:

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**ORDER**

May 24, 2024

The Complainant alleged improper legal rulings 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 members Barbara Brown and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on May 24, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

2024-023

**COMPLAINT AGAINST A JUDGE**

Name: [ ] Judge's Name: Honorable [ ]

**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.

**Complaint #1**  
 The end of [ ] a warrant had been issued for [ ] arrest due to his attorneys neglect to his case as a his lawyer , We gave him notice [ ] days prior to get a continuance due to a family members death and funeral he had to attend. Didn't hear a word back so the morning of court I contacted his assistant at the office and she assured me that we can start heading out of town for the funeral, that would handle it.

Later we find that [ ] has a warrant for his arrest for a failure to appear. Even before this incident [ ] showed no interest nor has given any advice or what to expect in this case. We feel like he didn't care nor understand that this is [ ] life he's suppose to be fighting for. Along with that's and many others complaints we have for [ ] , we filed a motion to change attorneys as well as to file a motion to quash warrant. The reason we filed it and not his attorney was because we were not able to get a hold of him, as usual.

Commissioner [ ] responded via minute entry to the warrant quash request but she ignored the motion to change attorneys.  
 The following pages are case documentation as well as the the minute entry of Honorable [ ] reply to the motions. The request for another attorney was never answered in document nor during court. As its written in the minute entry she states "  
 " ( Attached 1 )

After the above statement nothing else was mentioned.

Note on that court date proof was submitted for the motion to continue as well as the no response from [ ] to Honorable [ ] .

**Complaint 2 :**

Honorable [ ] lied on document when [ ] requested a motion to continue. On minute entry document ( Attached 2 ) she states that motion to continue was filled [ ] days prior, she checked yes, but the date she put was [ ] days prior.  
 Not to mention the only notice we received stating court was cancelled was from [ ] mins before his court when we had already drove an hour and was there in the elevator of the court house.

Also [ ] text states he had food poisoning, and that he was heading home ( Attached 3 )  
 Also on the 6th a text from the courts came through for a reminder court was scheduled the ( Attached 4 ) .

**Filing Date** 7/3/2023  
**Description** PPM – Pro Per Motion/Notice/Mail - Party (001)

**Docket Date**  
**Filing Party** Defendant(2)

**NOTE:** RE: FUNERAL

**Filing Date**  
**Description** 133 - ME: Bw Issued Hrg/Trl Vacate - Party (001)

**Docket Date**  
**Filing Party**

**Filing Date**  
**Description** PPM – Pro Per Motion/Notice/Mail - Party (001)

**Docket Date**  
**Filing Party** Defendant(2)  
**NOTE:** MOTION TO QUASH WARRANT

**Filing Date**  
**Description** PPM – Pro Per Motion/Notice/Mail - Party (001)

**Docket Date**  
**Filing Party** Defendant(2)  
**NOTE:** MOTION TO REQUEST ANOTHER ATTORNEY



COURT OF ARIZONA  
COUNTY

HONORABLE CLERK OF THE COURT  
Deputy

STATE OF ARIZONA COUNTY  
ATTORNEY

v.

(001)

COMM.

HEARING SET

The Court has read and considered Defendant's Pro Per "Motion to Quash Warrant" filed on . The State has not filed a Response as of this date.

The Court will set a hearing on this matter (Oral Argument on a Motion to Quash) on at before this Division.

This is an in-person, time-certain hearing.

— The Defendant MUST appear (with his assigned counsel) in order for the Court to consider Defendant's request to quash his warrant.

COURT OF ARIZONA  
COUNTY

CLERK OF THE COURT

HONORABLE

Deputy

STATE OF ARIZONA

v.

(001)

COMM.  
JUDGE  
PRETRIAL SERVICES AGENCY-CCC

TRIAL CONTINUANCE PAST LAST DAY

Having considered the Motion to Continue by Defense Counsel, filed \_\_\_\_\_, the Court finds,

- 1. The nonmoving party or parties: Do Not Object.
- 2. The Arraignment date was: No Information Provided.
- 3. The Original last day was: No Information Provided.
- 4. The existing date of the trial when the motion was filed: \_\_\_\_\_.
- 5. The number of continuances granted before this continuance was: No Information Provided.
- 6. The motion was: In writing.
- 7. The motion was filed at least \_\_\_\_\_ days before trial: Yes.

COURT OF ARIZONA  
COUNTY

8. If filed untimely, the motion sets forth with specificity the reasons for its untimeliness: Does Not Apply.

The Court finds that delay is indispensable to the interests of justice and that the following extraordinary circumstance(s) exist warranting the continuance:

Scheduling conflicts,

The Defendant waived applicable time limits: Yes.

IT IS ORDERED resetting the Final Trial Management Conference set this date to  
at (time certain, in person) before this Division.

IT IS FURTHER ORDERED resetting Trial – Firm from to at  
(time certain, in person) before this Division.

NEW LAST DAY ( DAYS EXCLUDED):

All in accordance with formal written Order signed by the Court and filed by the Clerk of the Court on .

IT IS FURTHER ORDERED affirming prior release orders.

**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.**