

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-356

Complainant: No. 1408910345A

Judge: No. 1408910345B

ORDER

The complainant alleged that a superior court judge denied him access to records, improperly failed to disqualify himself, and issued incorrect rulings. The commission considered the allegations and found no evidence of ethical misconduct on the part of the judge. The online minute entries reveal that the request for records was denied because it should have been made to the clerk of the court and not the judge. The remaining allegations involve legal issues outside the jurisdiction of the commission. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: March 24, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on March 24, 2011.

This order may not be used as a basis for disqualification of a judge.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2010-356

COMPLAINT AGAINST A JUDGE

Your Name: _____

Judge's Name: _____

Date: 19 DEC 2010

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times, and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

10 SEPTEMBER 2010 HON. JUDGE, MARICOPA COUNTY SUPERIOR COURT,
ARIZONA STATE, DENIED DEFENDANT A COPY POST CONVICTION RELIEF, CRIMINAL
CASE NUMBER CR 2006- DT, COURT RECORDS, NECESSARY PROPER
MEMORANDUM PREPARATION, ENTITLED FREE AND WHICH HAD PRIORLY BEEN
ORDERED PER HON. PAUL J MC MURDIE, JUDGE, 09 JULY 2010, PURSUANT DE-
FENDANT PROPER RECORDS PREPARATION REQUEST ATTACHED POST CONVICTION
RELIEF NOTICE AND SECOND POST CONVICTION RELIEF PETITION, "WHICH
DOES NOT CONTAIN A COMPLIANCE CERTIFICATE", FILED 18 JUNE 2010. ALSO,
DEFENDANT, WAS AUTHORIZED TO PROCEED PURSUANT PRO PER STATUS. ARIZ. RULES
CRIM. PROC. RUL 32.1 [A, B, C, E, H], 32.2 [B], 32.4, [C, J, C2, J, [D], 32.5.
25 OCTOBER 2010 DEFENDANT WITHOUT COURT RECORD TRANSCRIPT, FILED RULE THIRTY-
TWO POST CONVICTION RELIEF PETITION, WHICH CONTAINED ADDITIONAL COLORELL CLAIMS
AND A "PETITION CONTENTS COMPLIANCE CERTIFICATE" AND BOTH PETITION CONTAINED
LEGAL AND REQ'D CASE CITATIONS, RULES AND STATUTES, REQUIRED. ARIZ. RULES
CRIM. PROC. RUL 32, 1 [E, H], 32.2 [B], 32.5.
02 NOVEMBER 2010 HON. JUDGE, WAS ASSIGNED CASE FOR FURTHER
ACTION, BECAUSE HIS TESTIMONY WILL BE RELEVANT CASE, SAID JUDGE PER
JUSTICE INTEREST IN ALL FAIRNESS SHOULD HAVE PURSUANT REQUIREMENT
TRANSFERRED CASE TO ANOTHER JUDGE, TO INSURE JUDICIAL INTEGRITY.
JOHNSON V. JOHNSON, 13 ARIZ. 574 [APP.DIV.1, 1971], ARZ. RULES. CRIM. PROC. RUL 32.1
[E, H], 32.2 [B], 32.4 [E].
10 NOVEMBER 2010 SAID CRIMINAL TRIAL COURT SENTENCING JUDGE ABUSED JU-
DICIAL DISCRETION, PRIMARILY BECAUSE HE IMPROPERLY ENTER A CASE DISMISSAL
ORDER, PURSUANT, DEFENDANT 18 JUNE 2010 POST CONVICTION RELIEF PETITION

(Attach additional sheets as needed.)

WHICH DID NOT CONTAIN ANY PETITION CONTENTS COMPLIANCE CERTIFICATE,
THAT SPECIFICALLY CERTIFIED EVERY GROUND AND ISSUE KNOWN HIM
HAD THEREIN BEEN ALLEGED. AN DID NOT CONSIDER UNDER SAID
DETERMINATION, DEFENDANT POST CONVICTION RELIEF PETITION FILED
25 OCTOBER 2010. ARIZ. RULES CRIM. PROC. RUL. 32.5; ARIZ. RULES CIV. PROC. RUL
60 [C], [6]; ARIZ. REV. STAT. CONST. ART. 2, SECT. 10
ALSO, BECAUSE SAID CRIMINAL TRIAL COURT JUDGE, DETERMINATION
WAS MADE PER MISTAKE, INADVERTENCE AND FRAUD; WHEREBY, HE
CONTRADICTORY TRUTH THAT DEFENDANT HAD NOT ASSERTED
IMPROPER AND ILLEGAL SENTENCE IMPOSED ON JANUARY 2007, BASED
UPON REMEDY SCOPE AND EXCEPTIONS ENTITLING CONSTITUTIONAL CIVIL
RIGHTS RELIEF. ARIZ. RULES CIV. PROC. RUL. 60 [C] [1, 3]; ARIZ. RULES
CRIM. PROC. RUL. 32.1 [E, H], 32.2 [B]
ET CETERA.

DEFENDANT, HEREBY CERTIFY AFORESAID CONTENTS TRUE AND COR-
RECT, PER PERJURY PENALTY. ARIZ. RULES CIV. PROC. RUL. 80 [1]
ACKNOWLEDGMENT AND PROMPT ASSISTANCE APPRECIATED.
THANKS AND BLESSINGS,

20 DECEMBER 2010.

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