

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-065

Judge:

Complainant:

ORDER

June 30, 2021

The Complainant alleged a superior court judge improperly waived his speedy trial time, acted as a prosecutor, failed to know the law, failed to afford him an opportunity to be heard, improperly granted a continuance, left information out of the official record, and re-wrote the laws from the bench.

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 Louis Frank Dominguez and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 30, 2021.

RE: The Rest of The Story...

Between [redacted] and [redacted] each of you received a folder pertaining to corruption, CRIMINALITY and just plain incompetence in the legal systems of [redacted] County, Arizona. In that folder you are invited to experience what I have had to endure in the [redacted] County legal system. The incompetence and criminality that I have documented are standard procedure in [redacted] and need to be addressed by the authorities responsible for the oversight of Legal and Judicial proceedings, (the powers that be).

The [redacted] ([redacted]) responses I have received are utterly insufficient as for rectifying this situation.

[redacted] City Police [redacted] along with [redacted] of the Professional Standards Unit responded that, while they did regret my feelings of being harassed, they assured me, in not so many words, that, the [redacted] violated my 4th amendment rights, exactly as they had been trained to do. [redacted] has not lost any of my respect over his response as he has been instructed by the powers above him to train his officers in exactly this fashion. THAT, is what needs to be fixed! And... he actually responded, which is far more professional than the other some-teen recipients of the folder. Except one...

[redacted] responded that she was unable to determine the identities of the Judges in question, (which means she didn't read the folder), so, she mailed back my folder and almost one hundred (100) pages of laws and rules and forms. God, I wish I could afford to do that!

COME ON PEOPLE!!! There is a serious problem with CRIMINALITY, corruption and just plain incompetence inherent in the [redacted] County Police, [redacted] and Court system at several levels. I did NOT become an actual attorney because of exactly this bullshit, The some-teen legal and political [redacted] that are reading this, ARE THE [redacted] ' [redacted] ' and the media represented here are SUPPOSED to be the watchdogs! There is a problem in [redacted] County that needs to be fixed.

I wish the world worked as that a problem discovered was a problem solved but, all of you are basically, (or actually), politicians and won't do anything that doesn't benefit YOU! And for the media; the concept of corruption in the Courts and Government is so prevalent as to be ignored and not worth reporting.

The Founding Fathers made it clear that, "it is better to free one hundred of the guilty, than to imprison one innocent man. Not because he is deprived of his Liberty but because he loses his faith in his government."

You disappoint me; one and all!

Right now I just want the problem fixed; the appropriate people censured, charged, disbarred, prosecuted, whatever (DO YOUR JOB!!!) and myself to be left alone but, if you can't do what is right... I'll sue you. Which is such a ridiculous statement, especially when you consider: if you had done what was right to begin with... I never would have had to make that ridiculous statement.

On the last page of the previous folder the final sentence, except for the ' ' (which should have said pg. # , was... " .."

WHAT HAPPENED NEXT...

: Final Management Conference.

THE COUNTY ATTORNEY, entered his response to the Defense's motion in writing stating that the Orders, as imposed by the Court of Arizona have suspended all calculations of time under Rule # . But, he never asked for a continuance or extension, verbally or in writing and not once was the issue of ' mentioned, stated, or filed as a reason for the States' delay during the entire () of these proceedings.

HISTORY: In Ms. , my Public Defender for the first and a () ILLEGAL Prosecution, filed for a continuance due to CORONA. Why did Mr. not file or request, or even mention the suspension of parts of Rule # ? Because he didn't know!

THE DEFENSE presented the motion as filed, (see: Att. from folder). All of the facts are true and accurate, as written, and the motion deserves to be granted on its' own merits.

THE DEFENSE went on, at length, to address the application of the Orders as they applied to this case. None of this argument was refuted by Mr. , (it was argued by the Judge), nor was it acknowledged in the recorded minutes.

THE DEFENSE proceeded to assert that County, (most of Az.) continued to operate as if the suspension of time was not in effect in as that the authorities continued to arrest persons on warrants charging a failure to pay fines, or complete community service, or restitutions, or what-have-you, within the time limits ordered by the Court.

IF ALL CALCULATIONS of time are suspended by the Court then you cannot hold a defendant to the time schedule issued at sentencing. If all calculations of time are suspended from through , you can NOT arrest anyone for not completing, in a timely manner, what the Court has ordered. But County did make those arrests until at least , which asserts that calculations of time ARE in place. (I was in Judge Court in (?), when he sentenced a man to for not completing his Community Service on time).

YOU CAN'T HAVE IT BOTH WAYS!!!

INCOMPETENCE OR CRIMINALITY?: The Defense went on to present as example, a plea offer from Mr. dated , which would require me to, " . That's what it said. And... as the ' in question is NOT a firearm by Arizona law, it is NOT subject to being relinquished nor confiscated. Therefore, this plea offer represents a attempt, on the part of Mr. , to COMMIT ROBBERY or EXTORTION!

"

"

THE PLEA OFFER listed a single alleged felony from (for which he has no verification), as () separate offences and then went on to state, "...

..."

?!?REALLY?!?

HYPOTHESIS: On Mr. still thought that time calculations were in effect, supporting my assertions that none of the delays in prosecution were in any way related to the Orders; it is simple incompetence. Mr. received my motion on then somebody else told him about the suspension of time so he elected to **BLATANTLY ABUSE THE ORDERS!!! (bet).**

THE DEFENSE proceeded to assert that the Court of the State of Arizona never intended for their Orders to be abused in this way as that it presents the possibility of Constitutional law suits, against the Court from cases like, well... mine.

THE COURT issued Orders that suspended time calculations under Rule # without allowing for consideration as to whether or not a delay in prosecution was in any way related to the " ' even though later in the Order, it is acknowledged that Judges who needed to extend time further could do so with a **SHOW OF CAUSE!!!**

FACT: What the Order should have said is, " , " so as to prevent the denial of Constitutional right for no reason; as is the case with me.

THE DEFENSE presented the argument (the truth) that the delays in this prosecution had absolutely nothing to do with the " " and that the only reason for the delay was incompetence on the part of Mr. and his inability to collect his evidence and present his case in a timely fashion.

AS EXAMPLES, I listed the fact that Mr. had and () under the Statute of Limitations, in which to indict me but he did it, (committing), just () after the initial, **ILLEGAL** prosecution was dismissed, (in the middle of the supposed spandemic).

QUESTION? Why would you clog up the docket with a fraudulent case, in the middle of a " " in a Courthouse that is essentially **CLOSED?!?INCOMPETENCE!!!**

MR. repeatedly neglected to gather evidence as shown by his inability to have the tested as of (), after my on (You have to include the initial and (), of **ILLEGAL** prosecution in City, Court to which Mr. did not attend and the **ILLEGAL** charges were dismissed).

MR. in realized that would possibly become legal in and suggested to the Court that he should be allowed to wait until after the election to submit the ' to the lab, not knowing (or not acknowledging) that there was **NOT ENOUGH** ' **TO PERFORM THE LAB TEST!!!**

NOTE: There was no motion or request for continuance or extension of time nor any discussion as to such.

ON , Judge acknowledged the election, the time for testing and the time for independent testing and therefore suggested a tentative Trial date for

ON , Judge (NOT Mr.), argued that, by agreeing to the suggested Trial date, I had agreed to wave time. **BULLSHIT!!!** I simply acknowledged that, because of Mr. incompetence, the Court must consider and allow for all pending pretrial requirements.

FACT: I was not conscious of the exact date of the afforded by Rule # but even if I had been aware, agreeing to the Court date, with **NO** discussion as to time limits, does **NOT** constitute the Defense agreeing to wave the calculation of time nor accept an extension or continuance, and... **IT IS NOT THE RESPONSIBILITY OF THE DEFENDANT TO TELL THE STATE PROSECUTOR (and the judge) THAT THEY'RE** !!!

REALLY?!? The guy who has never been to law school is supposed to keep telling the State and the Court what the laws are and keep them on schedule?!? County would have a lot more **JUSTICE** if you allowed me to do that!

PURE PERJURY: Mr. _____ did manage to produce a report from one. _____ #
a _____ at the Arizona Department of _____ as to the _____, hand
loaded _____ that is being held as evidence for these proceedings. Said report is a blatant lie!
The report states, " _____ " which proves that they never tested the

THE DAMN THING DOES NOT FIRE!!! THE REPORT FROM THE LAB IS A COMPLETE LIE!!!

LEGAL QUESTION? What is the charge for intentionally providing a Court with false information?

MORAL QUESTION: Do any of you care enough about Judicial integrity to investigate any of this?!?

JUDGE OR PROSECUTOR? On _____, Judge _____ argued all of the points presented, then he proceeded to argue all of the facts that Mr. _____ did NOT present. I'm getting used to that. Even though prosecuting me from the _____ illegal, at least this way I have some intellectual competition but: if the Judge presented the arguments and the Judge decides which argument he is going to rule in favor of... **SEE MY PROBLEM?!?**

JUDGE _____ then presented the ruling that: I had agreed to extend time, (_____), that there was no violation of Rule # _____, (there was a blatant violation of Rule # _____ but the State Court **ILLEGALLY** denied me my Constitutional rights) and Mr. _____ incompetence becomes moot because, the _____ Court has suspended ALL(?) calculations of time and given Mr. _____ permission to not do his job, even though there is **NO LEGITIMATE, COVID RELATED REASON TO DO SO!!!**

MY MOTION WAS DENIED, even though the delay is based entirely on the incompetence of Mr. _____ and, for some reason, none of the above arguments were entered in the recorded minutes. Is Judge _____ trying to deny that the arguments were presented? Then, it gets even better....

MR. _____ proved the whole delay was due to his incompetence by announcing to the Court, (even though the hearing was over and he should have just _____), that, in the last _____, (_____), he had sent to _____ for verification that I had ever been arrested or convicted of a felony. Mv charge is, _____ but Mr. _____ waited until _____, of the **ILLEGAL** prosecution, to find out if I am actually a convicted felon?!? To find out if he can **CHARGE** me?!?!? He did NOT obtain evidence as to whether or not I am a felon and, if and when he does, he still has NOT obtained evidence to show if i am allowed to own a firearm but, that is all moot because:

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**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.**