

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-079

Judges:

Complainant:

ORDER

February 8, 2023

The Complainant alleged a city court judge and a superior court judge made erroneous rulings and acted in concert to deprive him of his right of appeal in a criminal misdemeanor 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 Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 8, 2023.

MCM

Dear Sir,

At the end of the Court Trial the Court gave me written instructions showing me how to appeal to the Court. When the Court made its ruling on the appeal I was not given written instructions advising how to appeal. They verbally told me to file a Petition for Review to the Arizona

The Petition for Review was filed in the Court on This was never sent to the Arizona The Honorable remanded it to Court, where it sat in a file. Never filed with the proper Court.

Since I had not heard from the Arizona I went back to the Courthouse. I attempted to file the Petition for Review again & It was again remanded to the Court. Again, by the Honorable . At that time I called the Arizona to find out if this had been received. I spoke to a of the in He advised he did not receive the appeal and I needed to file this with the Arizona

The Court, , and Honorable were aware that I was doing everything possible to appeal the Court decision.

It appears the the Judge and Honorable manipulated the Court calendar and clerks to deny defendants access to legal representation, motions, witnesses, evidence and appeals. They also employ the art of no communication with the defendant and harassing defendant by setting hearings and/or cancelling them without notifying defendant. The and the Honorable have also sent time sensitive legal

documents to defendant with certification of mailing to an address that does not exist. When the defendant sent letters to the Office asking to subpoena evidence favorable to the defendant, the Prosecutor told the hearing Judge that defendant was harrasing him.

The harrassment from the and the Court is continuing now with a charge of Failure to Appear to a hearing they notified me by text message. That was received over the weekend for a hearing that was taking place on Monday . On I was working out of town an unable to attend/appear. I called the court at and attempted to reschedule. I got an answering machine and left a message that I was working out of town and could not appear. This resulted in a warrent for my arrest for a Failure to Appear. I am afraid the and the Court are once again sending me legal documents to a nonexistent adress.

The has copies of letters that defendant has sent.

Please investigate the behavior and actions of the Judge Court Judge and in this case. Please call me with any questions.

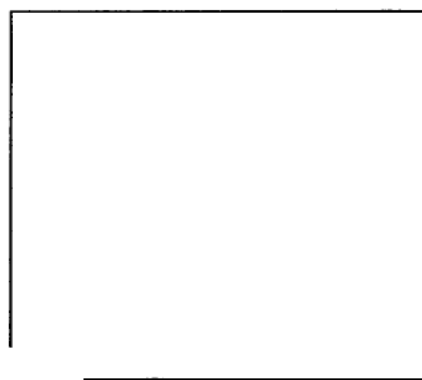
Dear Your Honor,

As you noted the Court entered its decision on The Hon
mailed his decision to the defendant at No certification of mailing
was attached. This address does not exist and is not the defendants address. The defendant
resides at , for The defendant did not have knowledge of the
Courts ruling until sentencing on When this appeal wasl filed with the
Court it was the Hon who remanded it to the Court instead of sending it
to for

Defendant did everything within his power and acted with due diligence to file this appeal
within the allotted time. It was the Hon who did everything within his power to
deny defendant his right to appeal to the Arizona

Please reconsider your order dismissing the appeal. The original three attempts to send this
appeal are in this packet. Thank you for your time.

IN THE
COURT OF
STATE OF ARIZONA



Appellee,)
v.)
Appellant.)

ORDER DISMISSING

A review of the record shows this court lacks jurisdiction in this appeal. Arizona Rule of Criminal Procedure 31.2(a)(2) provides an appellant must file a notice of appeal within after the entry of the judgment or order at issue. seeks to the court's decision affirming appellant's convictions and sentences in the Court. The court entered its decision on . filed the notice of on ,

The time for filing a notice of is jurisdictional. *State v. Littleton*, 146 Ariz. 531, 533 (App. 1985). Because appellant did not file a timely notice of

IT IS ORDERED dismissing this .

A copy of the foregoing
was sent to:

**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.**