

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 24-258

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Judge:

Complainants:

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**ORDER**

September 10, 2024

The Complainant alleged a superior court pro tem judge improperly refused to switch defense counsel in 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 Roger D. Barton, Louis Frank Dominguez, and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 10, 2024.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

**2024 - 258**

**COMPLAINT AGAINST A JUDGE**

Name:

Judge's Name:

**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.

I requested a motion to change counsel for private counsel. The reason for the request is due to the inappropriate manner in which court appointed counsel continues to speak to me in a calloused manner. Our communication is non existent. He is always out of town. Counsel continually states they are not interested in anything i have to say and told me not to call them but rather he will call me. He himself has not personally contacted me at any point in time since being assigned my counsel. he does not submit any motions he claims he has done nor has he shown me any of the work he has done. i stated to the Judge that this is not a good fit for me as I do not believe the court appointed counsel has any interest in assisting me. The previous day the prosecution stated my public defender has not once tried to negotiate anything with a plea offer which was very shocking to me because the public defender did not deny the fact that he has not tried to negotiate anything. The judge denied that request based on insufficient evidence. He also stated is a good lawyer who will defend me in court but has not attempted to work with me and the judge failed to acknowledge my very serious and legitimate concerns. has stated to me repeatedly that he can not defend me while repeatedly trying to coerce me into signing a plea deal. The prosecution and public defender both advised the judge that the settlement conference that ocured without knowing prior that it would be a settlement conference was not done correctly. He simply said nothing and admonished me for having all this time to decide on a counsel change. It was the judge himself who said he would not appoint any more counsel and i would either have to pay for my own counsel or represent myself. I was denied that opportunity to pay for my private counsel Due to court appointed counsel lack of effort and action,

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