

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 24-434

Judge:

Complainant:

ORDER

January 24, 2025

The Complainant alleged a superior court judge refused to let him represent himself 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 Joseph C. Kreamer and Christopher P. Staring did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 24, 2025.

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

FOR OFFICE USE ONLY

2024-434

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.

On _____ while sitting on the Bench acting as a impartial Judge in a cause before him which is case # _____, violated his OATH of office that is filed and on Record with the Secretary of State, in which ^{AZ} promised and swore (or its equivalent) "to uphold and defend the constitutions of the United States of America as well as the Constitution of Arizona against attack Foreign or domestic". I take this to mean that as a Judge and in executing his duties, he will not allow the rights are protected (not given as we are born with them) by those constitutions to be infringed upon, and that he in his duties would take every reasonable measure and maybe even some unreasonable measures to execute that mission.

not only failed me in his defence on those Constitutions, which I as a private man, in a court of law, depended on and was led to believe by his oath I could depend on. as Judge on this day led the attack himself against his own Oath and the constitutions mentioned.

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did this when he deliberately abused his discretion and usurped the authority vested in him as a judge to infringe upon my rights which are protected in the amendments 6,14 of the United States of America and 2824 of the Arizona Constitution, which allows for an accused to have the assistance of counsel or if the accused as a man taking an assessment of the circumstances he finds himself in and no longer seeing the benefit of that assistance of counsel, can for go that counsel all together and exercise his right to stand, speak and represent himself by proceeding what is known as pro per, pro se, or even sui-juris. These are protected rights not a privileges and cannot be infringed upon, taken away or removed without due process. So after abused his discretion by denying me the right to exercise my right to waive counsel and ineffective assistance of counsel, he than usurped his Authority as a judge and became a psychiatrist on the bench, without the aid of any independent

evaluations or recommendations for experts in the field, my current attorney or the states attorney

as Judge ruled me incompetent to advise counsel on the expert psychological opinion of himself, now

(he never called himself from the bench, I give him that title by his actions). I was not acting irrational, my demeanor was compliant and responsive and as I've said there was no medical opinion before the court. I answered the questions asked of me honestly and thought before I spoke, so that the integrity of the record be honored, respected and maintained. so when Judge asked me a series of questions:

Judge:

accused:

Judge:

accused:

Judge:

accused:

Judge:

?

accused:

Judge:

accused:

Judge:

accused:

... (I was cut off here)

Judge:

accused:

... (again here I was cut off and silenced)

Judge:

! (he then addresses Attorney

?

Attorney :

... (I then interrupt to object to his representation on the record for the record. About 2 seconds had passed before I gather myself after being denied my right to waive counsel)

Accused:

... (I was cut off again by the judge and ...)

Attorney :

(rather this was in response to my having said I filed a complaint against him or my having said I want him removed, I'm not sure),

Judge:

Accused:

... (I was cut off by the judge, while at the same time Attorney cuts in...)

Attorney/Tasto:

Judge:

accused:

**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.**