

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-206

Judge:

Complainant:

ORDER

August 15, 2025

The Complainant alleged a superior court judge violated due process rights and allowed delays 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 member Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on August 15, 2025.

COMPLAINT AGAINST A JUDGE

Name: _____

Judge's Name: _____

HONORABLE JUDGE

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.

SEE ATTACHED PAGES 1-7

Complaint of Judicial Misconduct

Against Honorable

I. Introduction

Complainant

Contact Information:

Presiding Judge, Honorable

Judge of the

County

Court

Case Name: State of Arizona vs.

Case Number:

II. Background and Timeline.

Date of initial traffic stop: at approximately

The defendant was pulled over for a right-hand turn violation in Arizona. The defendant had a legal concealed carry license and disclosed the firearm to the officer while in compliance, with the defendant's hands on the steering wheel. The defendant asked the officer numerous times to secure the weapon for safety.

Despite the defendant's compliance and request to secure the firearm, the defendant was pulled out of the vehicle with the defendant's hands up.

The defendant pulled away from the officer when they attempted to illegally detain the defendant and twist the defendant's arm behind their back to handcuff them and place them in the back of the patrol car. This occurred despite the defendant being a legal, compliant citizen with the Second Amendment right to bear arms.

The officers then allegedly held the defendant down and struck the defendant in the face times.

Following this, the defendant was arrested for resisting arrest.

After being arrested for resisting arrest, the defendant was searched, and narcotics were found during a search of the defendant's person.

The defendant has been through multiple changes in legal representation during this process.

Approximately attorneys recused themselves in this case. Each time Honorable Judge asked the defendant if he agreed with these recusals, the defendant stated no. The defendant's objections were consistently based on issues surrounding the evidence and its authenticity.

The attorney was terminated by the defendant because the defendant had to prepare motions himself as the deadline for filing motions was only a few days away, and the attorney had not yet taken action. Thus prompting the defendant to do it himself to not only have a fair due process but to also preserve the issues in case of an appeal do that they are not deemed waived by the court of appeals .

In the approximately months since the case began, not a single motion has been filed in the defendant's defense.

The defendant has been going through this process for approximately months without the necessary motions or hearings.

The defendant believes that Honorable Judge , rather than facilitating the necessary motions and hearings (including suppression, evidentiary, and authentication) to ensure due process, has allowed the defendant's due process rights to be violated through repeated changes in legal representation and prolonged delays that infringe upon the defendant's speedy trial rights.

Reason for terminating most recent attorney: This attorney had not prepared or filed any necessary motions in the defendant's defense, including motions for suppression, evidentiary hearings, and authentication of evidence, even though the deadline for these motions was only a few days away, requiring the defendant to begin preparing them.

The defendant has also had two bench warrants issued for their arrest simply because they were late for two court dates. That he was in constant communication with his Attorney's and Pretrial Services about his inability to make it on time for court proceedings that was habitually every two weeks. Which believed to be done deliberately to further complicate the defendants ability to defend himself . One of the occasions the time was changed from to and that was requested audio transcripts were denied to the defendant to verify this both times defendant was at the

court house to take care of it the same day instead defendant was told not to worry about it

Approximately days after one of these warrants was issued, the defendant was apprehended from behind by after being initially attacked from behind being disoriented from the blind side attack the defendant was unnecessarily tased in the back from behind relentlessly for several minutes while attempting to safely set down his service animal, This occurred after the defendant had been advised by pre-trial services not to worry about the warrant as it was going to be taken care of.

Due to the pending charges and the prolonged legal process, the defendant has been unable to secure employment and has lost his home and can't get housing, resulting in homelessness due to pending charges. The requirement to appear in person for court dates, despite the availability of telephonic hearings for similar matters, further exacerbates these hardships and directly impacts the defendant's ability to effectively defend himself, particularly in consideration of the defendant's need to care for his service animal.

III. Specific Instances of Alleged Judicial Misconduct by Judge

The issues raised in this section highlight a pattern of alleged misconduct by Judge specifically relating to the court's handling of critical evidence, the failure to address fundamental challenges to the legality and authenticity of the case against the defendant, and actions that appear to cause unnecessary burden, delay, and potential intimidation. The recusal of multiple attorneys, as noted in the background, was directly linked to concerns about the authenticity of the body camera footage from the traffic stop and the apparent pretextual nature of the stop itself. Despite these repeated concerns and the prolonged duration of the case, Judge has allegedly failed to facilitate necessary suppression and evidentiary hearings to address these foundational issues. This inaction forms the basis of the following specific instances of alleged judicial misconduct:

A. Failure to Order Evidence Hearing:

It is stated that after approximately attorneys recused themselves and after approximately months, there hasn't been an evidence hearing in Case Number The Arizona Court Of County located at The changes in legal representation have involved issues surrounding the evidence and its

authenticity. Despite this, Judge _____ has not ordered an evidence hearing, which is believed to be a violation of due process and supercedes criminal rules of the court. The defendant has only waived the right to a speedy trial once or twice and that was not due to any fault on the defendant's part.

Legal Basis: This failure may violate the defendant's right to due process under the Fourteenth Amendment of the United States Constitution and Article 2, Section 4 of the Arizona Constitution, which guarantees that no person shall be deprived of life, liberty, or property without due process of law. Additionally, Arizona Revised Statutes Title 13, Section 4238 outlines the entitlement to a hearing to determine issues of material fact. The prolonged delay without such a hearing could also be seen as conflicting with the spirit of the Arizona Rules of Criminal Procedure regarding the timely resolution of legal issues.

B. Orders for DNA, Signature, and Photos:

During the traffic stop on _____ in _____ Arizona, after the defendant was arrested for resisting arrest, a search revealed narcotics, and the defendant was charged with dangerous drugs for sale. Subsequently, Judge _____ ordered the defendant's DNA, signature, and photos. The defendant was given absolutely no time to respond to the state's motion for disclosure of their DNA before these orders were issued. The defendant believes these orders are an unwarranted invasion of privacy and without legal basis for the charge of dangerous drugs for sale, especially considering the circumstances of the stop.

It is believed these orders in this context were improper and represent an overreach for the alleged violation.

Legal Basis: Ordering DNA, signature, and photos for the charge of dangerous drugs for sale in this instance, particularly without affording the defendant any opportunity to respond to the state's motion for DNA disclosure, violates the defendant's right to due process under the Fourteenth Amendment of the United States Constitution and Article 2, Section 4 of the Arizona Constitution. Additionally, it may infringe upon the protections against unreasonable searches and seizures under the Fourth Amendment of the United States Constitution and Article 2, Section 8 of the Arizona Constitution, depending on the justification provided for the DNA collection for this type of charge.

C. Handling of Discovery and Body Camera Footage:

The defendant has not been provided with proper discovery, including body camera footage in Case Number _____ and these issues are ongoing at the Arizona _____ Court In The County Of _____. Concerns surrounding the evidence are related to its authenticity.

**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.**