

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-293

Judge:

Complainant:

ORDER

October 22, 2025

The Complainant alleged an appellate court judge improperly refused to reopen an appeal which was closed 6 years ago. Complainant also alleges the judge erred by denying the appeal as untimely, claiming the underlying case was 4 years ago, when it was really 6 years ago.

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 allegations of the complaint in this matter solely raised disagreements with legal rulings. The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. "A good faith error of fact or law does not violate this rule. However, a pattern of legal error or an intentional disregard of the law may constitute misconduct." *See* comment 3 to Rule 2.2 of the Code of Judicial conduct. Any violation of the Code of Judicial Conduct must be proven by clear and convincing evidence.

A mistake in a ruling does not automatically mean that the judicial officer has engaged in judicial misconduct. Judicial officers are required to exercise their discretion in making their decisions. Even if a judicial officer's decision is legally or factually incorrect, the ruling is generally considered to be "legal error" and not "ethical misconduct" that the Commission can address. When a complaint to the Commission solely relates to the correctness of a judicial officer's legal decisions, the Complainant is seeking the Commission to function in the capacity of an appellate court. Correcting legal errors is the role of the appellate courts, not the Commission.

The Commission is a regulatory body with limited jurisdiction. The Commission is not a court, and as such, it does not have any authority to overturn a judicial officer's rulings, intervene in a case, assign a new judge to hear a case, or

award any monetary or other relief. The Commission process cannot be a substitute for seeking appellate review.

The Commission reviewed all information submitted by the Complainant 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).

A Duty Panel comprised of Commission members Regina L. Nassen, Scott H. O'Connor, and Christopher P. Staring considered this matter.

Copies of this order were distributed to all appropriate persons on October 22, 2025.

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

FOR OFFICE USE ONLY

2025-293

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.

Time: _____
 Names Involved: Pro Tem Judge _____
 Supporting Material: _____ Certmed mail sent to Presiding Judge: usps# _____

In _____ of _____, I and Investigative Journalist _____ were told in an email that the State had used the wrong discovery in my case of _____ which led to a wrongful conviction and with new evidence, I did re-file the appeal, which was denied. but I was told by _____ of the Court _____ who spoke with on _____ that the Pro Tem Judge _____ did not even look over or consider the new evidence, which was an admission by State Employee _____ that their Investigator pulled the wrong discovery, which deprived me of due process and Judge Pro Tem _____ just did it, again by ignoring evidence not available in _____

The statement from _____ of The Office of The Public Defender. became known to me and Investigative Journalist _____ in _____ and was not available in _____ and is new evidence ignored.

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Hi

reviewed the DR and the file for the name . She found a police report belonging to that her investigator obtained.

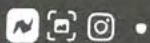
My understanding is that your case began because you were stopped at the scene of some people being pulled over. The driver of that car was , and he was charged with possession of marijuana as far as we can tell. The case is now sealed in . asked her investigator to get the report to see if you were mentioned in it, and you were not. So that is why the report was part of your file.

Since ultimately took over the case, it would have been up to him to decide whether the information was important to explore beyond that.

Thanks,

2:14

11:11



to me,



Dear all

[redacted] surely you've been made aware of the errors that [redacted] has pointed out. Is it in fact still your contention that [redacted] was pulled over in a car that one [redacted] was driving? Would you be able to produce your evidence to back up your claim? I would be very surprised if you can prove what you have apparently said.

It certainly seems to me that [redacted] has demonstrated on numerous occasions that this statement of yours cannot be true. I look forward to hearing from you.

Yours sincerely



Sent from AOL on Android

Show quoted text



Reply all

