

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-324

Judge:

Complainant:

ORDER

October 2, 2025

The Complainant alleged a superior court judge improperly denied multiple motions he filed in criminal cases.

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 2, 2025.

COMPLAINT TO THE _____ ARIZONA

Comp

2025 - 324

Against: Judge

Submitted to:
Arizona Commission on Judicial Conduct
1501 W. Washington St., Suite 229
Phoenix, AZ 85007

Complainant:

Sui Juris

Authorized Representative for Principal:

c/o

near Arizona Republic

Non-Resident / Without U.S. / Non-Domestic / Non-Assumpsit

Respondent:

Judge

County Court
Building

AZ

Assigned Judge for Case(s):

I. Summary of Complaint

This complaint arises from Judge _____ conduct during a court proceeding held on
in _____ Judge _____ knowingly and unlawfully:

1. Relied on void Rule 11 proceedings imposed by a prior Commissioner;
2. Dismissed un rebutted sworn affidavits of status, standing, and jurisdiction;
3. Refused to acknowledge or hear a Special Appearance and Demand to Dismiss for lack of jurisdiction, criminal liability, and return of property;
4. Denied bond without lawful finding or proof of "on release" status;
5. Refused to issue remedial orders ensuring access to legal materials and discovery in jail custody;

6. Issued a sweeping denial of all pending pro per motions and affidavits on via Minute entry without specific findings or legal analysis or individualized rulings.

These actions violated multiple Judicial Canons, denied due process, and constitute constructive fraud and obstruction of justice.

II. Violations and Supporting Facts

-Improper Dismissal of Filed Affidavits (Canon 2.2, 2.6, 2.9)

Judge falsely stated that un rebutted affidavits only stand in civil cases, denying the force of properly filed declarations in a criminal matter. This violates Clerk's Praxis, Maxims of Law, and UCC §1-202.

-Denial of Access to Discovery in Custody (Canon 2.2, 2.3, Due Process)

Despite knowing the Jail blocked legal mail and discovery access, the judge failed to order remedial access, violating Rule 15.1(g) and Bounds v. Smith (1977).

-Denial of Bond Based on Unproven "On Release" Status (Canon 2.2, 2.5)

Bond was denied based on an unverified presumption that the defendant committed a new offense while on release, without reviewing actual evidence or proof of legal status under Rule 7.2.

-Failure to Hear or Docket Jurisdictional Motion (Canon 2.6(A))

The Court declined to verify or promptly act on a filed motion that included a demand to dismiss for lack of jurisdiction, judicial misconduct, and return of property.

-Use of Prior Misconduct to Sustain Prejudice (Canon 1.1, 2.3)

Judge relied on prior fraudulent Rule 11 findings by Commissioner without independently evaluating their lawfulness or procedural validity.

-Judicial Misconduct in Minute Entry – Blanket Denial of Motions and Affidavits

Judge issued a one-line denial of all motions and affidavits filed by the defendant without individualized legal findings, violating Rule 16.1(d), Clerk's Praxis, and due process.

III. Legal Authority & Support

- Arizona Constitution Art. 6.1 – Judicial Conduct Oversight
- Canon 2.2, 2.3, 2.6 – Judicial duty to provide access and rule impartially
- Canon 1.1 – Uphold the law impartially
- Rule 7.2, Arizona Rules of Criminal Procedure – Non-bondable status standards
- UCC § 1-308, § 1-103 – Good faith in enforcement
- Clerk's Praxis & Maxims of Law – Truth in commerce and affidavits as unrebutted fact

IV. Relief Requested

1. Immediate investigation into Judge pattern of due process violations;
2. Formal reprimand, suspension, or referral for removal under Article 6.1;
3. Mandatory retraining on affidavit adjudication, jurisdictional thresholds, and procedural due process;
4. Assignment of a new judge to not involved in the prior misconduct.

Submitted in Honor, Without Prejudice, and With Full Reservation of Rights.
All Rights Explicitly Reserved. UCC § 1-308, UCC § 3-501, Maxims of Law, and KJV Bible:
Proverbs 31:8-9.

Dated:

Without Prejudice

Signed: Sui Juris
Authorized Representative for Principal:
c/o
near Arizona Republic
Non-Resident / Non-Domestic / Without U.S. / Non-Assumpsit