

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-479

Judge:

Complainant:

ORDER

December 2, 2025

The Complainant alleged a superior court judge made improper decisions 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 Denise K. Aguilar and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 2, 2025.



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 have had many issues with Judge _____ and because of our history there is a hostile feeling and spirit of ill-will emanating from Judge _____ whenever I am in his presence.

I allege Judge _____ is practicing law from the bench and assisting the prosecution with their case against me. It is clear that Judge _____ is NOT impartial and the integrity of the judicial process where he is supposed to be a neutral and unbiased arbitrator is non-existent.

During evidentiary hearing to suppress evidence, Judge _____ ruling included case law and arguments not brought up by the STATE or I during hearing. Judge _____ also grossly misrepresented my argument in his ruling and the case law brought up by Judge _____ himself would have gone in my favor if not grossly misinterpreted by Judge _____ when I addressed the errors in his ruling in a motion for reconsideration he denied my motion without addressing the relevant issues.

Another example of judicial bias is that I raised a defense of "Free Religious Exercise". I properly raised this issue in a Motion to Dismiss that was denied by Judge _____. The state never objected to my use of the defense. I noticed the state and the court in Rule 15.2 Disclosure of my intention to raise a defense of "Religious Free Exercise" at trial. Again, no objection from the state. The state did NOT move in limine to bar the use of my defense at trial.

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



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All the sudden at trial, Judge [redacted] bars me from using my defense while citing State v. Hardesty, 222 Ariz. 363 (2009) and strings stating that my defense "

After trial and sentencing I filed a "Motion to Vacate Judgment" claiming my Due Process Rights were violated by Judge [redacted] barring my defense at trial. A.R.S. 41-1493.01(c) requires the state to meet two elements, to establish two elements. In my motion I claim the state failed to establish the two elements in A.R.S. 41-1493.01(c) and that State v. Hardesty (supra) requires that the court review my claim de novo. A de novo review means that a court cannot defer to another case and deny me a right or use of a defense, the court must conduct an independent examination of my claim, and therefore it was improper for Judge [redacted] at trial, to say "State v. Hardesty; your defense is not a valid defense under Arizona law" - because Judge [redacted] did not review my claim de novo, you see, as is required by law.

I filed a motion for change of Judge alleging that Judge [redacted] was too personally involved in the matter to be able to give a fair and unbiased ruling and I requested he recuse himself from the case. Two days after my motion for change of Judge, Judge [redacted] ruled on the motion to vacate judgment. His ruling does not address whether the state satisfied the statutory requirements of A.R.S. 41-1493.01(c) and then Judge [redacted] claims "in his ruling."

... "The requirement is in the case law he used to bar my use of the defense at trial!!!"

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Judge

I allege Judge is acting in bad faith by not addressing relevant points of my motion.

Additionally, at sentencing on I requested copies of the court's record for the stated purpose of reviewing the record for my "motion to vacate judgment". It was a reasonable request because I needed to review certain things on the record to state my case. I had also filed the motion in open-court on , the motion to vacate judgment. I filed written requests and motions to the clerk and Judge the following week for the record. The state responded to my motion. I filed a reply to the state's response, and I was still without the record two weeks after I filed the original motion. I requested oral argument on the motion several times verbally and in writing. Finally I filed the motion for change of judge alleging Judge was too personally involved in the matter to rule unbiasedly, because he, cetera all, was the one to deny my use of the defense, and he did so without the state ever objecting to my use of the defense. Two days after the motion for change of judge was filed, Judge issued his ruling on the "motion to vacate judgment."

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Judge

I finally received the court's record after I filed my reply to the States Response, so I was unable to review the record while preparing my argument.

Judge issued his ruling and denied oral argument on the motion. As already stated, his ruling does not address whether the State satisfied the statutory requirements of A.R.S. 41-1413.01(C), and his ruling absolves himself from any wrongdoing when he barred me from raising my defense at trial (SURPRISE! NOT).

I allege that it was improper for Judge to rule on the motion to vacate AFTER receiving the motion for change of Judge. I allege Judge is acting in bad-faith. I allege that there is a clear reasonable question of impartiality. I allege a blatant appearance of impropriety. I allege judicial bias and judicial vindictiveness. I allege Judge has greatly threatened the integrity of the judicial process and that he is practicing law from the bench and assisting the prosecution with its case ~~against~~ against me. And I demand that Judge recuse himself from this case.

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