

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

---

Disposition of Complaint 25-482

---

Judge:

Complainant:

---

**ORDER**

October 22, 2025

The Complainant alleged a pro tem superior court judge improperly precluded additional evidence when the appeal had already been perfected.

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.

Comp

To the Arizona Commission on Judicial Conduct

Subject: Judicial Misconduct Allegations – Response from  
Appellate Filings

Court Regarding 25-482

Dear Commissioners,

I am writing to formally submit allegations of judicial misconduct concerning Judge \_\_\_\_\_ of the Arizona \_\_\_\_\_ Court, in connection with my pending appeal of a wrongful conviction.

Following the perfection of the appellate record, I submitted additional filings to the \_\_\_\_\_ Court that included evidence and allegations of judicial misconduct, along with notices of federal oversight. These filings were intended to preserve issues for appeal and ensure transparency in the appellate process.

Judge \_\_\_\_\_ responded with a letter stating that my filings were denied entry into the record on the basis that the record had already been perfected. I respectfully assert that this denial conflicts with my rights under:

- **Arizona Constitution Article 6.1**, which guarantees the public's right to report judicial misconduct;
- **Arizona Code of Judicial Conduct (Rule 81, Arizona Supreme Court Rules)**, which obligates judges to cooperate with disciplinary authorities and take appropriate action when misconduct is alleged;
- **Arizona Rules of Civil Appellate Procedure, Rule 11(e)**, which allows for the inclusion of materials necessary to preserve issues for appeal, regardless of the record's perfected status.

I am forwarding both my original filings and Judge \_\_\_\_\_ response for your review. I believe the refusal to docket these materials undermines due process and obstructs the preservation of misconduct claims for appellate and federal review.

I respectfully request that the Commission investigate this matter and determine whether Judge \_\_\_\_\_ actions constitute a violation of judicial ethics or procedural fairness.

Thank you for your attention to this serious concern.

Sincerely,

Case #

✓ ✓ ✓

Subject: Complaint Regarding Judge \_\_\_\_\_ – Improper Striking of Filings

To: Arizona Commission on Judicial Conduct

Dear Commission,

I am submitting this complaint regarding Judge \_\_\_\_\_ In connection with my cases:

( \_\_\_\_\_ Court)

(Justice Court)

On \_\_\_\_\_ Judge \_\_\_\_\_ issued a letter striking my filings that raised issues of judicial misconduct, prosecutorial misconduct, and constitutional violations. He claimed these could not be considered because the record had been “perfected.”

I believe this action violates the Arizona Rules of Criminal Procedure and the Arizona Code of Judicial Conduct:

Rule 32.1(a)–(h) provides that post-conviction relief claims—including constitutional violations, prosecutorial misconduct, and judicial bias—remain grounds for review, regardless of record perfection.

Rule 32.9(a) allows a defendant to challenge rulings and seek review of such claims.

Canon 2 of the Arizona Code of Judicial Conduct requires a judge to uphold integrity, impartiality, and avoid impropriety.

28 U.S.C. § 455 (Judicial Disqualification) also reflects the continuing duty of judges to address bias or conflicts of interest.

By striking filings that were submitted in good faith, Judge \_\_\_\_\_ has effectively denied me access to due process and may have attempted to shield allegations of misconduct from proper review. This raises serious concerns about impartiality, transparency, and compliance with judicial duties.

I respectfully request the Commission investigate Judge \_\_\_\_\_ conduct and determine whether his actions constitute judicial misconduct. Copies of the court's \_\_\_\_\_ letter and my filings are available upon request.



Sincerely,

Case #

Case #

Case#



Subject: Notice of Judicial Misconduct Filings and Improper Striking of Motions

To: Clerk of the Court

Re: Case No

( Court)

(Justice Court)

Dear Clerk of Court,

I am writing to provide formal notice regarding filings I submitted addressing judicial misconduct, prosecutorial misconduct, and related issues in the above-referenced cases.

Judge has issued a response striking these filings, claiming they cannot be considered because the record has been perfected. However, under Arizona Rules of Criminal Procedure, Rule 32.1(a)–(h), as well as Rule 32.9(a), post-conviction relief claims—including those involving constitutional violations, prosecutorial misconduct, and judicial bias—remain valid grounds for consideration. These rules explicitly permit a defendant to raise issues that affect the fairness and integrity of the proceedings, even after perfection of the record.

Furthermore, 28 U.S.C. § 455 (Judicial Disqualification) and Canon 2 of the Arizona Code of Judicial Conduct impose a continuing duty on judges to address conflicts of interest, bias, and impropriety. Striking filings that raise these issues appears inconsistent with those obligations.

Because of this, I am forwarding Judge [name]'s response to the Arizona Commission on Judicial Conduct for review. I respectfully request that the court docket my filings as originally submitted and preserve them in the appellate record, as they were made in good faith and concern matters that directly impact due process and judicial integrity.

Please include this correspondence and attachments in the record for all pending matters.

Sincerely,

✓

1

7

IN THE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF \_\_\_\_\_,  
PRESIDING JUDGE

<p><b>Judge Pro Tem</b></p> <p>STATE OF ARIZONA,</p> <p style="text-align: right;">Plaintiff,</p> <p>vs.</p> <p style="text-align: right;">Defendant.</p>	<p>By: <b>Judicial Administrative Assistant</b></p> <p>Case No:</p> <p style="text-align: center;"><b>No.</b></p> <p>Date:</p>
---	--

**ORDER**

The Court will consider this Appeal submitted to the Court as of \_\_\_\_\_ This is after the Defendant filed his last supplement.

Due to the numerous filings from the Defendant, after the record was perfected in Justice Court;

**IT IS ORDERED** striking all filings from the record that were filed in this Court since the record was perfected and received from the \_\_\_\_\_ Justice Court on \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Honorable \_\_\_\_\_  
County \_\_\_\_\_ Court

**Copies to:**

County Attorney's Office [em]

County Adult Probation [em]

Clerk of the Court, Customer Service [em]