

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 25-489

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Judge:

Complainant:

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**ORDER**

January 23, 2026

The Complainant alleged a superior court judge accepted a plea that was too lenient 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 Michael J. Brown, Colleen E. Concannon, and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 23, 2026.

**Comp**

**25-489**

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

Re: Judicial Conduct Complaint, Judge \_\_\_\_\_, Case No. \_\_\_\_\_

Dear Commission Members:

I am submitting this complaint regarding Judge \_\_\_\_\_, who presided over the case of \_\_\_\_\_, \_\_\_\_\_ County, as referenced above.

I believe the Judge erred by accepting of record, a plea bargain for \_\_\_\_\_ in Court on \_\_\_\_\_, which binds the Court to sentence him according to the plea, without ever considering the pre-sentencing report, essentially giving \_\_\_\_\_ a \_\_\_\_\_ year sentence, by terms of the plea, despite the horrific nature of the crimes committed against me, my rights under the Victim's Bill of Rights in the Arizona Constitution, my rights to receive equal justice under the law; and further, undermining the fairness of the judicial process and violating my rights as a victim. Why should I not receive the same substantial justice that other victims would receive in the same or similar circumstances? By accepting and locking himself in to imposing a sentence of \_\_\_\_\_ years incarceration, without reading or considering the pre-sentence report, the Judge has violated Rule 26.4 and

26.6, and it could amount to legal error, reversible on appeal, but not necessarily judicial misconduct, just an error in procedure which violates Rule 26. I objected to the lenient plea bargain at the time the Court accepted it, and my objection was discarded by the Judge. Anytime a Court affirms a sentence without considering the pre-sentence report, it may violate Rules 17, 17.4, and 26.4 and 26.6. It renders Rule 26.4, which requires that a pre-sentence report be ordered in any felony case where the court has discretion over the penalty, .....null and void, essentially useless, because the terms of the incarceration sentence have already, prior to the report, been accepted by the Court, binding the Court, by contract, to impose whatever sentence is in the plea. The report becomes irrelevant. I would like to request that the Commission investigate this matter, and make a recommendation to the Judge that it is *improper* to accept a plea without fully reading the pre-sentence report, which would have pointed out that                   plea bargain was too lenient, given the use of a weapon, and his prior criminal history. I will send supporting documentation for the Court procedure shortly.

Sincerely, /

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Cc: file