

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-496

Judge:

Complainant:

ORDER

December 2, 2025

The Complainant alleged a superior court judge improperly denied his request for post-conviction relief 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, Joseph C. Kreamer, 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.

Re: Judicial Complaint Against the Honorable

Comp

Dear Members of the Commission,

Enclosed please find my **Judicial Complaint** against the Honorable
with an **Index of Exhibits (A–E)** supporting the allegations.

along **2025-496**

This complaint arises from Judge handling of my post-conviction proceedings, including:

- Her tolerance of prosecutorial misconduct when the prosecutor admitted another individual () was the alleged shooter yet was never interviewed or even spoken to..
- Her denial of a **Motion for Judicial Interference** despite evidence of co-defendant coercion by detectives.
- Her mischaracterization of judicial bias claims, which denied me a fair opportunity to be heard.

*I acknowledge that certain issues extend back several years; however, this filing is timely and necessary because the **Arizona Court has since suspended prosecutor for related misconduct**, confirming patterns of unethical conduct that were tolerated in my case. The exhibits provided—including own admissions and Judge orders—show a consistent failure to uphold constitutional protections and judicial impartiality.*

I respectfully request that the Commission investigate these matters, consider the attached supporting materials, and take appropriate action to preserve the integrity of the judiciary.

Thank you for your time and careful consideration.

Respectfully submitted,

/s/
Pro Per

-Judicial Complaint Against the Honorable

Filed by:

(Pro Per)

Case No.

Introduction

This complaint is submitted to the Arizona Commission on Judicial Conduct regarding the conduct of the Honorable _____ Court Judge, in relation to her handling of trial and post-conviction proceedings, including denial of motions raising evidence of prosecutorial misconduct, witness coercion, and judicial bias.

The judicial actions described below demonstrate a pattern of bias, misapplication of law, and disregard of constitutional guarantees, violating the duty to ensure impartiality and fairness.

Judge _____ conduct also constitutes **ultra vires** actions — acts outside her lawful authority as a judge. Rather than serving as a neutral arbiter, she permitted the State to pursue a fabricated two-shooter theory, allowed the suppression of exculpatory evidence, and denied motions supported by credible proof of witness coercion. Most notably, she tolerated the prosecutor's admission that she believed that witness, _____ was the shooter without requiring to be interviewed, or even spoken to. A judge's authority extends only to proceedings conducted within the bounds of due process and lawful evidence. By mischaracterizing filings (such as re-labeling bias claims as Rule 10.1 to avoid review) and denying relief despite clear constitutional violations, Judge _____ exceeded her authority and acted outside the lawful scope of judicial discretion. Arizona law is clear that acts undertaken without lawful authority are void. *State v. Chavez*, 243 Ariz. 313, ¶16 (App. 2017).

Grounds for Complaint

1. Admission and Plea Offer in Judge's Presence

At a _____ settlement conference (Exhibit A), in Judge _____ presence, prosecutor _____ admitted that she believed that witness, _____ was the shooter, not _____ offered _____ a plea of _____ **years as an accomplice**. Despite this

admission, Judge [redacted] later permitted [redacted] to proceed at trial with a contradictory two-shooter theory that falsely implicated [redacted] as a shooter.

Compounding this misconduct, [redacted] was never interviewed in connection with the homicide. Despite [redacted] acknowledgment and [redacted] repeated statements placing Price at the scene, the State abandoned its duty to interview [redacted] and instead manufactured a case against [redacted]. Judge [redacted] allowed this selective prosecution to proceed unchecked.

- *Napue v. Illinois*, 360 U.S. 264 (1959) – prosecutors may not knowingly use false testimony.
- *Brady v. Maryland*, 373 U.S. 83 (1963) – suppression of favorable evidence violates due process.
- *State v. Bible*, 175 Ariz. 549, 588 (1993) – conviction must rest on reliable evidence, not speculation.
- *State v. Mincey*, 130 Ariz. 389 (1981) – duty to correct false impressions.

By failing to intervene when [redacted] changed theories and when [redacted] was never even spoken to, Judge [redacted] failed to safeguard constitutional rights.

Judicial Complaint – Failure to Consider

Affidavit and Interview

Judge [redacted] denied newly discovered evidence in the form of [redacted] affidavit and subsequent interview, despite the fact that [redacted] stated under oath that I had “ [redacted] ” that my firearm was broken, and that co-defendant [redacted] was the shooter. [redacted] herself had previously admitted in a settlement conference that [redacted] was the alleged shooter, yet Judge [redacted] allowed the case to proceed without ever requiring the State to interview him, call him as a witness, or test his credibility.

This denial violated both **Arizona and federal due process standards**:

- *State v. Amaral*, 239 Ariz. 217, 220 ¶11 (2016) – Newly discovered evidence must be considered where it was not available at trial, is not cumulative, and would probably change the verdict. Price’s affidavit and interview meet all four prongs of this test.
- *State v. Denz*, 232 Ariz. 441 (App. 2013) – Relief was granted where newly discovered evidence established actual innocence. [redacted] sworn statement exonerating me is exactly the type of evidence contemplated.
- *Napue v. Illinois*, 360 U.S. 264 (1959) – Convictions obtained by false testimony violate due process. Allowing [redacted] false testimony while ignoring [redacted] exonerating statement deprived me of a fair trial.
- *Kyles v. Whitley*, 514 U.S. 419, 437–38 (1995) – The State has a duty not only to disclose, but to actively pursue leads that could clear the defendant. Judge [redacted] refusal

to compel disclosure or inquiry into [redacted] affidavit effectively insulated the State's misconduct.

- *Berger v. United States*, 295 U.S. 78, 88 (1935) – Prosecutors must seek justice, not convictions “by any means.” By failing to intervene, Judge [redacted] enabled ultra vires conduct outside lawful judicial discretion.

Additionally, a judge's obligation is to ensure that the trial process adheres to principles of fairness. By refusing to admit or even meaningfully consider [redacted] affidavit and interview, Judge [redacted] committed **ultra vires acts** — exceeding her lawful authority by disregarding evidence that would have changed the outcome. See *State v. Chavez*, 243 Ariz. 313, ¶16 (App. 2017) (acts without lawful authority are void).

This judicial failure compounded the prosecution's misconduct and violated my rights under the **14th Amendment Due Process Clause**. [redacted] affidavit and interview were critical, reliable, and material, and no reasonable fact-finder could have ignored them without undermining justice.

2. Denial of Judicial Interference Motion Despite Evidence of Coercion

On [redacted] [redacted] filed a **Motion for Judicial Interference** supported by co-defendant [redacted] emails, where he described being threatened and coerced into giving false testimony. Judge [redacted] **denied the motion on** [redacted] (Exhibit B), refusing to provide protection or address the due process violations.

- *Mooney v. Holohan*, 294 U.S. 103 (1935) – convictions based on coercion/false testimony violate due process.
- *State v. Murray*, 184 Ariz. 9 (1995) – prosecutors and courts must correct falsehoods to preserve fairness.

This denial demonstrates disregard for her judicial duty to investigate credible evidence of coercion, undermining confidence in the fairness of proceedings.

3. Mischaracterization of Bias Allegations as Rule 10.1

When bias claims were raised in a motion for reconsideration, Judge [redacted] sua sponte re-labeled them as a Rule 10.1 motion and forwarded them to Presiding Judge [redacted] who denied them as untimely. This deprived [redacted] of a fair opportunity to have bias claims heard on their merits.

- *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009) – even the appearance of bias requires recusal.

- *State v. Ellison*, 213 Ariz. 116 (2006) – bias is structural error.

Pattern of Conduct

Together, these actions reflect:

- Tolerance of prosecutorial misconduct.
- Failure to safeguard against the use of perjured/coerced testimony.
- Improper handling of bias allegations.
- Judicial approval of selective prosecution despite clear evidence identifying another suspect.

These actions undermine public confidence in the judiciary and violate Canons 1 and 2 of the Arizona Code of Judicial Conduct (maintaining integrity and avoiding impropriety).

Prayer for Relief

For the reasons set forth above, Petitioner respectfully requests that the Arizona Commission on Judicial Conduct:

1. **Investigate** Judge _____ conduct in connection with her handling of the Defendant's post-conviction proceedings, including her disregard of newly discovered evidence, tolerance of perjured testimony, and failure to enforce constitutional protections.
2. **Determine** whether Judge _____ actions — including ultra vires acts outside lawful judicial authority — violated the Arizona Code of Judicial Conduct, the Fourteenth Amendment's guarantee of due process, and controlling state and federal precedent.
3. **Impose appropriate discipline**, including censure, suspension, or referral for removal if warranted, to preserve public trust in the judiciary.
4. **Recommend corrective action** ensuring that ultra vires judicial acts and the suppression of evidence of innocence are not permitted to stand in Arizona's courts.

Respectfully submitted,

/s/

Pro Per

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**