

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 26-016

Judge:

Complainant:

ORDER

April 7, 2026

The Complainant alleged a city court judge prematurely granted a motion and issued an erroneous ruling 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).

Copies of this order were distributed to all appropriate persons on April 7, 2026.

Attachments: [complete time extension issue .pdf](#)

From:

Sent:

To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>

Subject: Abuse of discretion Magistrate Judge City Court

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Canon 1, Rule 1.1 & Canon 2, Rule 2.2

Complainant

Respondent

Judge

Presiding Magistrate

Jurisdiction and Purpose

This complaint is submitted pursuant to the Arizona Code of Judicial Conduct.

It concerns compliance with mandatory procedural rules, fairness of process, and integrity of the record, not disagreement with the merits of any ruling.

Applicable Canons and Rules

Canon 1, Rule 1.1 — Compliance with the Law

Canon 2, Rule 2.2 — Impartiality and Fairness

Chronology of Events (Record-Based)

— The State filed a motion for extension of time citing only

“understaffing.”

— Judge granted the motion the same day it was filed, without allowing a response or objection.

— The original filing deadline passed while the validity of the order was in dispute.

— Judge vacated the original order and reissued the extension after the deadline had already expired.

Statement of Facts and Violations

1. Instant Ruling Without Notice or Opportunity to Be Heard

(Canon 2, Rule 2.2)

Judge granted the State’s motion on the same day it was filed, without providing notice or a meaningful opportunity to respond. This immediate ruling functioned as an ex

parte procedural disposition, depriving the opposing party of adversarial participation before discretionary relief affecting a mandatory deadline was granted.

Such handling is inconsistent with basic procedural fairness and undermines confidence in neutral application of the rules.

2. Granting Relief Without a Legally Sufficient Showing of Good Cause

(Canon 1, Rule 1.1)

The State's motion cited only generalized workload conditions ("understaffing"). Arizona judicial administrative guidance expressly states that conclusory workload assertions do not constitute good cause.

By granting the extension without requiring a case-specific, legally sufficient showing, the court applied an incorrect legal standard rather than enforcing the governing rules.

3. Retroactive Reissuance After Deadline Expiration

(Canon 1, Rule 1.1; Canon 2, Rule 2.2)

After the deadline passed, Judge vacated the original order and reissued the extension on , retroactively reviving an expired deadline.

Once a deadline has expired, relief requires a showing of excusable neglect, a heightened and mandatory standard. No such showing was made, and no findings were articulated.

And despite no legally sufficient showing of good cause or excusable neglect, the extension was reissued after the deadline had already lapsed.

Exhibits Submitted

The following documents are attached as a single PDF and incorporated by reference:

Exhibit A: The State's motion for extension of time citing "understaffing."

Exhibit B: The order granting the extension the same day it was filed.

Exhibit C: The order vacating the original extension and reissuing it after the deadline had expired.

Requested Review

I respectfully request that the Commission review whether Judge conduct complied with Canon 1, Rule 1.1 and Canon 2, Rule 2.2, particularly with respect to procedural fairness and enforcement of mandatory rules.

CITY COURT

State of Arizona vs.		Attorney:	
Docket Number(s):			
			<input type="checkbox"/> Bond Posted

ORDERS OF THE COURT

<p>A Continuance requested by <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant extraordinary circumstances existing. Continuance <input type="checkbox"/> granted <input type="checkbox"/> denied Time is <input type="checkbox"/> excluded <input type="checkbox"/> included per Ariz. Rules Crim. Proc.</p> <hr/> <p>Appear at the next hearing:</p> <input type="checkbox"/> Pretrial <input type="checkbox"/> Trial <input type="checkbox"/> COP <input type="checkbox"/> Prob. Revocation <input type="checkbox"/> Legal <input type="checkbox"/> Prob. Disposition <input type="checkbox"/> Evidentiary <input type="checkbox"/> Arraignment <input type="checkbox"/> _____ <p>Date: _____ Time: _____</p> <input type="checkbox"/> Defendant <input type="checkbox"/> Bond Poster FAILED TO APPEAR <input type="checkbox"/> Forfeit Bond/Deposit	<p>IT IS ORDERED THAT</p> <p><input type="checkbox"/> Defendant <input type="checkbox"/> Bond Poster <input type="checkbox"/> Other On _____ at _____ is to appear and show cause why: <input type="checkbox"/> Petition to revoke should not issue <input type="checkbox"/> 9 days jail should not be ordered for violation of home detention <input type="checkbox"/> Def. should not be held in contempt. <input type="checkbox"/> _____ FOR <input type="checkbox"/> Failure to appear in court this date <input type="checkbox"/> Failure to pay fine, restitution, and/or fees <input type="checkbox"/> Failure to show proofs: _____ _____ <input type="checkbox"/> Willful disobedience of Court Order, to wit: _____</p>	<input type="checkbox"/> Issue Warrant (NIC) <input type="checkbox"/> Order Default <input type="checkbox"/> Set Bond: _____
		Defendant not appearing at <input type="checkbox"/> Arraignment <input type="checkbox"/> Pretrial <input type="checkbox"/> Hearing <input type="checkbox"/> Trial <input type="checkbox"/> Sentencing <input type="checkbox"/> _____ <input type="checkbox"/> Release defendant from the custody of Sheriff <input type="checkbox"/> Detain in custody until full satisfaction <input type="checkbox"/> Transport Defendant

Appellant's Motion for Extension of Time to File Opening Memorandum is granted, good cause appearing. Filing due date is extended to _____

Appellee's Motion for Extension of Time to File Answering Memorandum is granted. Filing due date is extended to _____

<p>I have received a copy of this Minute Entry.</p> <p>Defendant _____</p> <p>Address _____</p> <p>City _____ ZIP _____</p>	<p><input type="checkbox"/> Pull for review by undersigned _____ Date _____</p> <p>_____ Date _____ <input checked="" type="checkbox"/> Presiding Magistrate</p>
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COPY

City Attorney
Deputy City Attorney
Associate Prosecuting City Attorney

AZ State Bar No.
Firm No.
Email:

IN THE CITY COURT FOR THE CITY OF

COUNTY OF

STATE OF ARIZONA

STATE OF ARIZONA,

DOCKET NO.

Appellee/Plaintiff,

CITATION NO.

vs.

MOTION TO EXTEND TIME

Appellant/Defendant.

Presiding Judge

THE STATE OF ARIZONA, by the undersigned, pursuant to Ariz. Super. Ct. R. Crim. App. Proc. 8(a)(2) and 8(b), respectfully requests an extension of time to file its Appellee's Answering Memorandum in the above captioned matter. This request is made due to ongoing understaffing and high workload volume. The State's memorandum is currently due on . The State respectfully requests an extension until , to file its memorandum. This motion is made in good faith and not for purposes of delay.

RESPECTFULLY SUBMITTED this of

STATE OF ARIZONA

Pro Se Appellant

NOTICE OF OBJECTION TO STATE'S EXTENSION OF TIME

Appellant files this formal objection to the State's last-minute motion for extension of time, which the court granted on _____, extending the State's deadline for filing its Answering Memorandum from _____ to _____. The record shows that the Appellant's Opening Memorandum was due on _____ and was filed early on _____ demonstrating diligence and full compliance with every procedural rule. In contrast, the State's Answering Memorandum was originally due _____ and the State's motion was granted on _____—just four days before its deadline. By the time the order was signed, the State's filing was already expected that same week, yet the court rewarded the delay with nearly an additional month. There is no good cause in that; there is only convenience. The Appellant has consistently met every deadline, filed without delay, and complied in good faith with every procedural requirement because he still believes justice is supposed to mean something. Each time the State is granted leniency that is denied to the Appellant, the imbalance deepens and the harm continues. Every unnecessary delay extends the impact of a conviction built on constitutional and structural errors that can no longer stand. This objection is filed to preserve the issue for appellate review and to ensure the record accurately reflects the procedural inequities forming the basis of potential civil-rights claims under **42 U.S.C. § 1983**. Justice delayed is not neutral—it is punishment disguised as procedure.

Respectfully submitted,

/s/

Pro Se Appellant

**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.**