

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 26-182

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Judge:

Complainant:

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**ORDER**

June 2, 2026

The Complainant alleged a municipal court judge failed to follow the law in a traffic 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, Michael J. Brown, and Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 2, 2026.

## **COMPLAINT AGAINST JUDICIAL OFFICER**

Arizona Commission on Judicial Conduct  
1501 W. Washington, Suite 229  
Phoenix, AZ 85007  
Fax: (602) 452-3201

**Comp**

### **COMPLAINANT INFORMATION**

**Name:**

**Address:**

**Fax:**

**Phone:**

**Email:**

### **JUDICIAL OFFICER COMPLAINED OF**

**Name:**

**Title:** Judge,

**Court:** Municipal Court

**Address**

**Phone:**

### **CASE INFORMATION**

**Case Number:**

**Caption:** State of Arizona v.

**Date of Proceedings:**

### **STATEMENT OF COMPLAINT**

The Complainant respectfully submits this Complaint against Judge \_\_\_\_\_ based on the following counts of judicial misconduct observed and documented during the proceedings held on \_\_\_\_\_ in Case No. \_\_\_\_\_.

#### **COUNT I: FAILURE TO PROVIDE SIXTH AMENDMENT NATURE OF ACCUSATION**

During the hearing, the Complainant requested, on the record and multiple times, that the Court state the Sixth Amendment nature of the accusation. The Sixth Amendment requires that the accused be informed of the nature and cause of the accusation. Judge \_\_\_\_\_ failed to answer or provide the nature of the accusation at any point during the proceedings. This failure to perform a fundamental constitutional duty demonstrates willful disregard for the rights of the accused and constitutes judicial misconduct.

#### **COUNT II: DENIAL OF JURISDICTION CHALLENGE WITHOUT LEGAL BASIS**

The Complainant challenged the jurisdiction of the Court on the record. Judge \_\_\_\_\_ responded that " \_\_\_\_\_ " and denied the jurisdictional challenge without providing any point-by-point rebuttal, legal citation, or evidentiary basis. A judge who refuses to establish jurisdiction on the record when properly challenged fails to perform a ministerial duty

fundamental to the administration of justice. The blanket denial without supporting authority demonstrates an abuse of judicial discretion.

### **COUNT III: REFUSAL TO ACCEPT SWORN EVIDENCE**

The Complainant presented a sworn affidavit containing accounting demands to the Court as evidence. Judge \_\_\_\_\_ refused to accept the sworn affidavit. A sworn affidavit is competent evidence that must be entered into the record when properly presented. The refusal to accept a sworn instrument, without legal basis, deprives the defendant of the right to present a defense and constitutes a violation of judicial duty.

### **COUNT IV: DENIAL OF ACCOUNTING DEMANDS WITHOUT PRODUCTION**

The Complainant demanded production of: 1099-A forms, CUSIP numbers, bid bonds, performance bonds, and payment bonds. Judge \_\_\_\_\_ denied all demands without production, without explanation, and without citing legal authority for the denial. A court that refuses to produce instruments demanded on the record, or to explain why production is not required, fails in its duty of transparency and accountability.

### **COUNT V: CURTAILMENT OF DEFENSE PRESENTATION**

Judge \_\_\_\_\_ cut off the Complainant during his opening statement, stating " \_\_\_\_\_ ' as the basis for limiting the defense presentation. The right to present an opening statement is fundamental to a fair trial. Curtailing a defendant's ability to present their defense theory at the outset of proceedings prejudices the defense and reflects judicial bias.

### **COUNT VI: PROCEEDING WITH INCOMPETENT PROSECUTION**

During the proceedings, the Prosecutor of Record admitted on the record: "  
" \_\_\_\_\_ " Despite this admission of incompetence on the subject matter raised by the defense, Judge \_\_\_\_\_ allowed the prosecution to continue without addressing the admission. A judge has a duty to ensure that both parties are competent to proceed. Allowing a prosecution to continue after the prosecutor admits incompetence on the subject matter at issue raises questions about the fairness and integrity of the proceedings.

### **COUNT VII: FORCED PLEA — ENTRY OF PLEA WITHOUT CONSENT**

This is the most serious count in this Complaint.

The Complainant stated clearly and unequivocally on the record:

"

"

"

"

Despite these express statements of non-consent, Judge \_\_\_\_\_ entered a plea on the disposition paperwork without the Complainant's agreement or authorization.

The right to enter or withhold a plea is a personal right belonging exclusively to the defendant. No court or judge may enter a plea on behalf of a defendant who has expressly refused to consent. A plea entered without consent is void ab initio.

This forced plea constitutes:

- (a) A direct violation of the Fifth and Fourteenth Amendments to the United States Constitution
- (b) A violation of Article II, Sections 4 and 24 of the Arizona Constitution
- (c) A deprivation of due process of law
- (d) An abuse of judicial authority
- (e) Conduct that brings the judiciary into disrepute

The forced plea is not a procedural error — it is a deliberate act by the judge to override the express will of the defendant on the record. This conduct is incompatible with the duties and responsibilities of a judicial officer.

### **RELIEF REQUESTED**

The Complainant respectfully requests that the Arizona Commission on Judicial Conduct:

- A. Investigate the conduct of Judge \_\_\_\_\_ as described in Counts I through VII above.
- B. Take appropriate disciplinary action, up to and including removal from the bench, for the forced plea violation (Count VII) and the cumulative pattern of constitutional violations documented herein.
- C. Refer the matter for criminal investigation if the Commission determines that Judge \_\_\_\_\_ conduct constitutes criminal behavior, including but not limited to deprivation of rights under color of law (18 U.S.C. Section 242).
- D. Provide the Complainant with written notification of the disposition of this Complaint.

### **SUPPORTING DOCUMENTS**

The following documents are available and will be provided upon request:

- 1. Court transcript from \_\_\_\_\_ proceedings
- 2. Fines/disposition sheet from Case No. \_\_\_\_\_
- 3. Notice of Default and Dishonor served \_\_\_\_\_
- 4. UCC-3 Financing Statement Amendment \_\_\_\_\_
- 5. Collection demand text received \_\_\_\_\_ (sender \_\_\_\_\_)

### **DECLARATION**

I declare under penalty of perjury that the facts stated in this Complaint are true and correct to the best of my knowledge and belief.

\_\_\_\_\_, Complainant

Fax:

Phone:

Email:

Date: