

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-010

Complainant: No. 1326210348A

Judge: No. 1326210348B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. If a defendant rejects a plea offer after or during a settlement conference, a different judge is assigned to preside over the trial, so no bias ensues. The complaint is dismissed pursuant to Rules 16(a).

Dated: February 11, 2008.

FOR THE COMMISSION

g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on February 11, 2008.

This order may not be used as a basis for disqualification of a judge.

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

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CJC-08-010

COMPLAINT AGAINST A JUDGE

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times, and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

I was forced to sign a plea agreement after I told my lawyer I wanted to fire him. My lawyer then told me he don't think the judge is going to let me fire him, then he went to the judge's chamber. then returned and told me that the judge and prosecutor wanted to confer with me if it was ok with me. So we all went in the Jury room. There I was forced to sign a plea agreement, by undue influence and coercion by Judge

Judge then told me he was a prosecutor before he was a judge. He also stated that he knew that if I went to trial I'd lose and get the maximum time. He then had the prosecutor tell me how many years it was (55 years) compared to the (20 year) plea. Judge then proceeded to use scare tactics with the threat of multiple years in prison if I didn't sign the plea. He also stated that if the girls testified I would lose. Mr. then asked me if I cared about them. He then stated that if I did I wouldn't want them to go to trial.

I then asked for a cup of coffee if I signed the plea bargain. The judge asked how long did the offer stand and said it ends today. Then my lawyer started handing me one sheet at a time and told me to sign my name on the first

(Attach additional sheets as needed.)

one he handed me. After I got finished signing and initialing the document, I noticed I had signed the plea from the last page to the first. I didn't have a chance to think about what I was signing and before I had a chance to drink the cup of coffee that the judge went to get me, I had signed the plea agreement.

I was so disturbed, I didn't realize what just took place or remember to fire my lawyer. Everything happened so fast. I was back in a holding tank before I thought about what just took place in court.

Due to the actions of Judge I signed a 20 year plea bargain by undue influence, coercion, duress, and emotional Distress. The fact that Judge was a prosecutor before he became a judge, Mr. was practicing law from the bench. (i.e. Giving legal advice to parties in a lawsuit, and abusing the power of authority of the judicial office), thus violating the judicial CANON 2(B); 3(B) (5) (7) (9) (11) (9) (10) (11) (12) (D) (2) (E) (9); (4) (A) (F) (G), of the code of Judicial Conduct.

The actions stated herewith justify this complaint. It is also requested that this judicial

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Commission take all the proper steps
that can rectify this issue that are
just and proper.