

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-137

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Complainant: No. 1336210285A

Judge: No. 1336210285B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised are legal or appellate in nature.

The commission is not a court; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: July 14, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on July 14, 2008.

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

5/19/08

I

was booked into  
 the County Jail for DUI  
 and posted bond. Charges  
 were later dropped and refiled.  
 was arrested on a DUI  
 warrant on and post bond  
 of \$5500.00 secure  
 was out on bond in (DUI)  
 on when arraigned on  
 a new charge of robbery.  
 The bond on the DUI  
 was revoked because of the robberies.  
 So as of was being  
 held on a \$50,000.00 dollar bond on  
 the new charge robbery and \$5000.00  
 dollar cash bond on the DUI. That  
 is a brief outlook of what the  
 Hon. is covering up.

3 armed robberies  
 took place all within close proximity  
 of each other, with all 3 armed  
 robberies committed by a black male  
 wearing a Santa mask with beard,  
 blue shirt and dark pants (jeans) and  
 tennis shoes. All 3 robberies were  
 believed to have been committed by  
 the same man on along with

II

CJC-08-137

A series of other robberies prior to  
was actually arrested  
and hospitalized for  
injuries sustained by Police,  
was released from the hospital on  
and arraigned on that day on  
(robberies) and (OUI).

Here is where the problem with  
Hon. begins, the wrong  
suspect. while  
was being robbed at  
was with Officer  
as shown in the police reports, see  
exhibit (A). alibi supporting his  
claim he was the wrong guy was not  
available to until and  
and instantaneously requested  
his Attorney Public Defender  
to challenge the grand jury indictment  
on , which she refused. I  
wrote Hon. a letter sending  
him proof I was the wrong suspect,  
providing the Hon. with proof  
I was set up by Police. I  
have included that letter written on

read the letter and noted to the  
Hon. innocent and re indicted.

III

Hon. totally ignored the evidence, some of what is in exhibit (A) and the next thing I knew I was scheduled for a Rule 11 hearing on \_\_\_\_\_ and later sent to Arizona State Hospital, to restore to competency, reason being I didn't trust my lawyer. All Hon. did was eliminate my Constitutional Right to a Speedy trial and gave the plaintiffs time to figure out what they were going to do with a innocent man. 30 days after with drawing as \_\_\_\_\_ Counsel letting the Hon. \_\_\_\_\_ know, \_\_\_\_\_ is going to be suing her and the State and a conflict of interest has presented a big issue, Hon. \_\_\_\_\_ appointed as defense counsel and the attorney with a conflict with \_\_\_\_\_ is now after that 30 days a County Prosecutor. \_\_\_\_\_ after talking to a private investigator, told "everyone knows you are the wrong guy, what are you going to do about assault on police officers"? I fired him hired my own Attorney who also

IV

Sold me out. Hon. is playing God thinking he can save everyone involved in the criminal activities against . So Hon. allowed the County Attorneys Office to design a plea with a protective shield. The shield is that was looking at 12 years plus the State would not offer a plea on, that was sure to lose in Court with a blood alcohol level of .195. Trial was set for (DUI), when (robberies) was arraigned on on which caused the bond in the pending DUI to be revoked. Hon. knows if he gives me the presentence incarceration in the DUI the wall of protection will come down and if I got the conviction on the robberies dismissed because of fraud by the police and perjury then the revoked bond on the DUI would be illegal and would have to be dismissed with prejudice, Hon. knows

✓

this, is one reason why [redacted] is denying [redacted] is rights to ARS. 13.709 (B) in [redacted] (DUI).

The plea is written in a fashion that [redacted] has to first admit to one attempted armed robbery and one assault on police officers in [redacted] (robberies), before he could sign the plea to receive 4 1/2 years in the DUI [redacted]. Now if

I appeal the fact I was set up by [redacted] Police and get the plea overturned in the robberies

[redacted], I lose the plea in the DUI [redacted] also and as long as my bond was not revoked on the DUI on [redacted] because of the fraud in the robberies at that

arraignment in [redacted] (robberies), then I would be able to be tried on the DUI and get 12 years plus if I appeal my plea on the robberies. That is blackmail to keep me from telling the truth. I

have included the plea in [redacted] (DUI) in exhibit (C). If this Honorable Board wishes to see change of plea transcripts [redacted] can provide those.

VI

has appealed the back time in  
 (DUI) on multiple occasions  
 by means of Rule 24.3 and 24.4 and  
 every appeal before Hon. has  
 been denied, with colorable issues  
 supported by applicable laws. Hon.  
 Judge is interfering with  
 judicial proceedings by not abiding  
 by applicable law ARS. 13.209 (B) to  
 enable to take full advantage of  
 meritorious issues that need to be  
 raised on appeal (innocent).  
 has filed a Rule 32 and  
 was only accessed 536 days time  
 credit in (DUI),  
 has raised issues pertaining to  
 clerical errors in the presentence  
 report, that lead to being  
 sentenced to higher than the presumptive.  
 Hon used a false statement  
 of facts of law by Deputy County  
 Attorney to deny me  
 his 6<sup>th</sup> Amendment right to  
 confront evidence against me in the  
 presentence report which was clearly  
 in plain view clerical errors that  
 supported Judge aggravating  
 factors in the DUI case and the robbery  
 case, see exhibit D false

VII

Statements of facts of law that Hon. [redacted] relied on in Rule

32 to deny his 6<sup>th</sup> Amendment right to confrontation, see page 2 line 15 thru 19 in exhibit D.

Going with the flow or pattern Hon. [redacted] has portrayed since

seeing over justice in on [redacted] (robberies), has been denied access to the courts on a number of occasions, but the one which was most costly to was on [redacted], when Hon

set a Scheduling Conference in a Rule 32 Criminal proceeding which does not necessarily require the defendant to be present if Counsel is present.

To keep [redacted] out of the courts a Civil proceeding Scheduling Conference was set on [redacted] in a Criminal

Rule 32 proceeding which is not the standard called for in Criminal Rule 32 proceeding. Arizona Constitution Art. 2

sec. 24; Rights of accused in a criminal prosecution; the accused "shall" have the right to appear and defend "in

~~person~~ and by Counsel". So this

section of the Arizona Constitution alone renders

VIII

Scheduling Conference unlawful in a Criminal prosecution and going with the fact my Court Appointed Counsel who was present on at that Scheduling Conference allowed that Conference to go on without my presents only proves what I have been saying all along my lawyers and Hon. have been working against with the plaintiffs since to protect Police White Officers and White County Attorneys who have committed fraud and perjury against a innocent blackman. Who are the involved parties one blackman , One blackman alibi a Officer and the remainder of the individuals involved are of none black or Negro ethnic background. This Honorable Board would have to wonder is or are these acts racially motivated because of black skin color. I believe it is and I have police reports to support that fact.

My case is in front of the Court of Appeals at this time for review of trial Courts Rule 32

IX

denial. With the corrected clerical errors under applicable law in the presentence report Hon.

refuses to correct and my court appointed counsel refuses to argue that I have made known to the trial court, court of appeals and my court appointed counsel my actual release date from the Arizona Department of Correction was

, So at this time because of Hon. ignoring and denying

access to the court, is being detained against his will unlawfully in prison at this time.

This Honored Board of Judicial Misconduct's service are needed at this time to remove a racist from the bench in the Superior

Court and that word racist is a word I tend to use only when needed and not a word I ever use loosely especially to ruin another individual. I would hope more than anything that I am wrong and this is all just a simple misunderstanding and the Hon.

can give this board and myself a logical explanation for his actions involving a INNOCENT Blackman

X

dealing with all white individuals in his Court. This board may want to see the change of plea transcripts and the grand jury transcripts to see where [redacted] is coming from with my accusations if the exhibits I have included with this complaint does not satisfy what is in this complaint. I do have a stack of evidence the Hon. [redacted] will have a problem

explaining after viewing the small amount of evidence in these exhibits -

The whole point of this is Hon.

Knew and even now knows I am not the right suspect and he asked my lawyer to commit perjury in my change of plea hearing, when asking counsel to give factual bases instead of me. I

could go on and on but I see no need considering only one allegations needs to be proved to satisfy my claim and I have submitted some of the strongest colorable issues that will satisfy this claim. The Hon. [redacted] job is to

serve and protect the rights of the people. Well he did just that, he severed and protect them who looked like him not us".

CJC-08-137

XI

Please help me, I lost everything  
for my supposed bad acts and in  
equal justice the bad acts by public  
official should suffer no less if they  
were not just a mere oversight on  
individuals involved part. Thank you!  
Can elaborate if certain parts of  
complaint are not clear and can provide more  
records if needed to satisfy complaint. I  
can be reached

at  
by

Respectfully submitted this 20 day of May, 08

Complaint Against A Judge