

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-233

Complainant: No. 1344410253A

Judge: No. 1344410253B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. A judge has discretion to determine the conditions of release. His decision is a legal one, and can only be reviewed by a court.

The commission is not a court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: October 21, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on October 21, 2008.

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

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

FOR OFFICE USE ONLY

CJC - 08 - 233

COMPLAINT AGAINST A JUDGE

Date: Sept 9th
2008

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.

was jailed on a charge of second-degree murder but was released on his own recognizance to pretrial services Sunday evening.

has been arrested in the past on marijuana and liquor charges as well as on counts of possession of drug paraphernalia, disorderly conduct and threatening/intimidating, according to online court records.

Judge made a poor decision by releasing someone accused of second-degree murder. He should have been kept in jail without bail based on the type of crime as well as past illegal behaviors.

How could Judge approve this suggestion from pre-trial services?