

IN THE
SUPREME COURT OF THE UNITED STATES

MR. JAMES NORMAN ZIEGENFUSS JR. III

(PETITIONER)

VS.

PRO-TEM JUDGE ANTHONY MACKAY,

COURT OF APPEALS, STATE OF ARIZONA,

JUDGE LAWRENCE F. WINTHROP,

COURT OF APPEALS, STATE OF ARIZONA,

(RESPONDENT JUDGES)

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" ATTACHMENTS "

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EXHIBIT 1

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MS. JANELLE McLEACHEN, ATTORNEY AT LAW.

SEPTEMBER 11, TH 2017 1-F

SEPTEMBER 24, 2018

ARIZONA STATE BAR RESPONSE

1-A

September 24, 2018

1#



Assistant's Direct Line: 602-340-7244

September 24, 2018

James Norman Ziegenfuss Jr #136479
ASPC-Yuma/Cibola Unit 5-D-44-L
P.O. Box 8909
San Luis, Arizona 85349

Re: File No: 18-2753
Respondent: Janelle A. McEachern

Dear Mr. Ziegenfuss:

On September 21, 2018, I reviewed your written submission regarding Ms. McEachern, dated September 12, 2018. On that same date, I reviewed the online dockets for your criminal matters arising out of the Court of Appeals as well as arising out of Maricopa County Superior Court. After forwarding a copy of the written submission to Ms. McEachern for her review, I spoke with Ms. McEachern via telephone, also on September 21, 2018, about your allegations of ethical misconduct.

It does not appear that there is clear and convincing evidence of ethical misconduct. For example, you alleged that Ms. McEachern did not send you the materials from your client file, including a copy of the *Anders* brief that she filed. In speaking with Ms. McEachern, she denied this allegation. Ms. McEachern provided to me the cover transmittal letter sent to you on January 15, 2018. I was also able to find a Notice of Compliance, filed on March 28, 2018, also stating that Ms. McEachern sent to you all portions of the file and record within her possession. We cannot find clear and convincing evidence to support your allegation of ethical misconduct in this regard. ✓

→ As another example, you alleged that Ms. McEachern failed to remove herself as your appellate counsel of record, and disobeyed your instructions to not file an *Anders* brief. In my review of the appellate court docket, it was noted that you filed a motion with the Court to have Ms. McEachern removed as your attorney on November 17, 2017. The Court denied that motion on November 27, 2017. Similarly, your December 8, 2017, Motion for Reconsideration on that same subject was denied by the Court on December 12, 2017, and per the Court's denial of those requests, Ms. McEachern remained your appellate counsel of record. As Ms. McEachern has exercised her independent professional judgment in her review of the record, and concluded that there were no colorable or viable issues to be raised on appeal, she was ethically prohibited from filing an appeal pursuing any of those issues. While your written submission makes it quite clear that you disagreed with her analysis of the potential issues for appeal, there is no ethical requirement that Ms. McEachern share your analytical opinion. This will not constitute ethical misconduct on the part of Ms. McEachern. *

The entire remainder of the issues and allegation that you have raised in your written submission are issues that require a legal and factual determination by the Court of Law presiding over your criminal case. The State Bar of Arizona does not have the authority or

jurisdiction to decide issues such as whether the police stop of you was pre-textual, whether you were legally arrested, whether there was prosecutorial misconduct, whether there was a lack of sufficient evidence to find you guilty, among the many other examples of issues raised. If you believe that Ms. McEachern was ineffective in not raising these issues on direct appeal, then you may raise those claims in your post-conviction proceedings and allege the ineffective assistance of appellate counsel. Those are not issues that the State Bar of Arizona has any authority to determine. If the Court makes a finding that Ms. McEachern acted inappropriately, then please forward to us a copy of the Court's written decision, and we can evaluate the matter at that time.

I have determined that further investigation is not warranted at this time and our file has been closed.

Pursuant to Rule 70(a) (4), Ariz. R. Sup. Ct., the record of this charge will be public for six months from the date of this letter. Pursuant to Rule 71, Ariz. R. Sup. Ct., the State Bar file may be expunged in three years.

Sincerely,



Matthew E. McGregor
Bar Counsel - Intake

MEM/tab

FEBRUARY 21, 2019

ARIZONA STATE BAR RESPONSE

1-B



FEBRUARY 21, 2019

2¹

Assistant's Direct Line: 602-340-7244

February 21, 2019

James Norman Ziegenfuss Jr #136479
ASPC-Yuma/Cibola Unit 5-D-44-L
P.O. Box 8909
San Luis, Arizona 85349

Re: File No: 18-2753
Respondent: Janelle A. McEachern

Dear Mr. Ziegenfuss:

On February 20, 2019, I reviewed your subsequent written submission regarding Ms. McEachern, dated February 12, 2019.

As we stated to you in our dismissal letter, dated September 24, 2018, there is no clear and convincing evidence of ethical misconduct in this matter. Your allegations in the February 12, 2019, submission are identical to those in your previous charge. There is no new evidence that would lead us to revisit the decision to dismiss and close this matter. Our reasoning remains the same as expressed in the September 24, 2018, letter. You asked the Court, who appointed Ms. McEachern, to remove Ms. McEachern as counsel of record. They denied those requests. Ms. McEachern acted accordingly when she filed the Anders brief. This does not constitute ethical misconduct.

I have determined that further investigation is still not warranted at this time and our file remains closed.

Sincerely,

Matthew E. McGregor
Bar Counsel - Intake

MEM/tab

MARCH 12, 2019

ARIZONA STATE BAR RESPONSE

1-C



Assistant's Direct Line: 602-340-7253

March 12, 2019

James Norman Ziegenfuss Jr. #136479
ASPC-Yuma/Cibola Unit 5-D-44-L
P.O. Box 8909
San Luis, AZ 85349

Re: File No: 18-2753
Respondent: Janelle A. McEachern

Dear Mr. Ziegenfuss:

Your charge against this lawyer was recently reviewed and dismissed by one of our intake attorneys. You requested a review of that decision.

Please note that there could be many reasons for the decision to dismiss your charge. Generally, a decision not to proceed falls into one of three major categories. Attorney conduct is governed by rules adopted by the Arizona Supreme Court. We only have the authority to investigate allegations of violations of those particular rules. It may be that your charge did not allege conduct that, if true, would violate those rules. When we do decide to move forward, we have the burden of proving allegations by clear and convincing evidence. It may be that the intake attorney did not believe we could meet that burden (which often happens when there are different versions of events). Finally, it may be that the misconduct you alleged was minor and would not likely result in a sanction even if we proceeded further with the case. In those instances, it is proper to simply discuss the matter with the attorney and provide guidance in an effort to avoid future misconduct.

Please note that we have no control over the outcome of court cases and cannot assist you in that regard.

In your appeal it is not necessary to repeat your initial charge against the attorney; we have a complete record of it in our file. However, if there is information or documentation you wish to have reviewed that was not previously provided, include it for consideration. Please keep your submission to five pages or less. You should submit this additional information by March 27, 2019. If we do not hear from you by the deadline, this matter will remain closed.

After I review your appeal, I will notify you of my decision in writing. Please note that this process may take several weeks to complete, and my decision on the matter is final.

Sincerely,

Maret Vessella
Chief Bar Counsel

MV/sb

APRIL 9, 2019

ARIZONA STATE BAR RESPONSE

1-D



Assistant's Direct Line: 602-340-7244

April 9, 2019

James Norman Ziegenfuss Jr #136479
ASPC-Yuma/Cheyenne Unit 5-D-12 Lower
P.O. Box 8909
San Luis, Arizona 85349

Re: **File No:** 18-2753
Respondent: Janelle A. McEachern

Dear Mr. Ziegenfuss:

We received your letter dated April 2, 2019, notifying us of your address change and regarding the status of your appeal. Your appeal response was received and has been forward to Ms. Vessella for review. Your matter is still under appeal. We will be in touch with you when that review is complete.

Sincerely,

A handwritten signature in cursive script that reads 'Teri A. Baldonado'.

Teri A. Baldonado
Legal Secretary to Matthew E. McGregor

APRIL 30, 2019

ARIZONA STATE BAR RESPONSE

1-E



April 30, 2019

3rd

Assistant's Direct Line: 602-340-7244

April 30, 2019

James Norman Ziegenfuss Jr. #136479
ASPC-Yuma
Cheyenne Unit 5-D-12-Lower
P.O. Box 8909
San Luis, Arizona 85349

Re: File No: 18-2753
Respondent: Janelle A. McEachern

Dear Mr. Ziegenfuss:

I received your request for review of the dismissal of your bar charge against Ms. McEachern. I reviewed the State Bar of Arizona file in this matter which included: the initial bar charge, dated September 12, 2018; the notes of Mr. McGregor's review of the online docket for the underlying appellate matter arising out of Division 1 of the Arizona Court of Appeals; the notes of Mr. McGregor's telephone conversation with Ms. McEachern on September 21, 2018; the dismissal letters sent on September 24, 2018; the subsequent submission from you, dated February 12, 2019; Mr. McGregor's second letter to you, sent on February 21, 2019; the subsequent submission from you, dated March 5, 2019; and your appeal submission to me, dated March 21, 2019.

Your allegations that Ms. McEachern acted unethically by remaining as your counsel despite your direction that she withdraw and for filing an *Anders* brief when you directed that she not do so, is not supported by the evidence. Your allegations were addressed by Mr. McGregor in his letter to you, dated September 24, 2018. The Court docket for your appellate matter shows that you filed motions with the Court on November 17, 2017, and on December 8, 2017, to have Ms. McEachern removed as your counsel of record. Both motions were denied by the Court. The Court ordered that Ms. McEachern remain as your appointed attorney of record. Subsequent to the Court's rulings, you wrote to Ms. McEachern and instructed her not to file an *Anders* Brief and terminated her services. As she remained your attorney of record by order of the Court, Ms. McEachern was bound to either file an opening appellate brief, or an *Anders* brief.

While I understand and respect your position on these issues, Ms. McEachern's actions do not constitute a violation of the Rules of Professional Conduct.

Respectfully, your appeal is denied, and the matter will remain closed. This letter will constitute the final action of the State Bar of Arizona in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maret Vessella".

Maret Vessella
Chief Bar Counsel

MV/tab

CONFIRMATION

CHIEF BAR COUNSEL

SEPTEMBER 11, 2017

INTRODUCTORY LETTER

MS. JANELLE MC EACHERN
ATTORNEY AT LAW...

1 - F

JANELLE A. MCEACHERN

ATTORNEY AT LAW - #016652

PO BOX 1974, CHANDLER AZ 85244

480-899-4115

admin@jmceachern.com

September 11, 2017

Mr. James Ziegenfuss #136479

ASPC: LEWIS - STINER UNIT

PO Box 70

Buckeye, AZ 85326

Dear Mr. Ziegenfuss,

I have been appointed by Office of Public Defense Services to represent you regarding your criminal appeal. I am in the process of obtaining your file which I must review. The process of obtaining your file, and then reviewing it, will take time. In the interim, however, I need to speak with you as soon as possible. Please arrange through your prison counselor or CO3 to make a legal call to me at the telephone number listed above or email admin@jmceachern.com. You can also write to me at the above address concerning issues you wish me to raise to the Court regarding your case. I do need from you the name of your COIII or case manager in order to establish a legal call. My office does not accept collect telephone calls and I do not, given the driving distance to most prison facilities, do in-person visits. Therefore, you may contact me by one of the methods described above. I am usually in the office Monday through Wednesday, which is the best time to reach me.

In order for us to work effectively together, and for you to understand the process better, it is necessary for you to understand the following. You have the right to competent counsel on appeal, but this does not include the right to counsel of choice. *State v. Cromwell*, 211 Ariz. 181, 186, ¶28, 119 P.3d 448, 453 (2005). I am appointed by the County to represent you. I have no affiliation with

JMZ → Autonomy Right ←

USAS VIOLATED U.S.C.A.
Sixth Amend

9/11/2017

JMZ
MS. MCEACHERN USURPED
CONTROL OVER, LEGAL ISSUES, AND
PERSONAL LEGAL DECISIONS THAT ARE
WITHIN MY SOLE-PROSECUTIVE.
A Constitutional Violation... U.S.C.A. 6th
MY AUTONOMY RIGHT TO SELF
REPRESENTATION & MY AUTONOMY

JMZ
*
(CHOICE OF COUNSEL IS STRUCTURAL) ←

Especially WHEN I CHOOSE TO REPRESENT MYSELF...

the prosecutor, the public defender, or any other agency. I am a private lawyer. While I will listen to your thoughts and comments, I may not include some or all of them in whatever I file. You may not agree with my decision, but the final word on how the case is handled remains with me. Although I need and welcome your input on your case, I am not obligated to raise every issue you bring too my attention. *State v. Febles, 210 Ariz. 589, 596 ¶19, 115 P.3d 629, 636 (App.2005).* Keep in mind that the Sixth Amendment does not guarantee a meaningful relationship between a defendant and his attorney. *Morris v. Slappy, 461 U.S. 1, 14 (1983); Cromwell, 211 Ariz. at 186, ¶28, 119 P.3d at 453.* Thus, whether you agree with me regarding the handling of your case, I am your attorney and the final word on how the case is handled remains with me.

I have the obligation to communicate with you, but you also have the responsibility to remain in contact with me. If you feel that your letters are not being answered, it is your obligation to have your CO3 contact me to set up a legal call. Or, send me a letter simply making that request. If you ask questions, raise issues or request that I perform services which are beyond the scope of my engagement, as set forth above, I likely will not respond. Please understand the scope of my engagement; I am not your lawyer for ALL purposes. You are free to engage other counsel if your perceived legal needs exceed the scope of my engagement.

I CHOSE TO REPRESENT MYSELF "PERIOD"
Also you need to be aware that the filing of a bar complaint against me does not mandate the court to remove me as counsel. *State v. Henry, 189 Ariz. 542 (1997); State v Michael, 161 Ariz. 382 385 (App.1989)*

Again, please have your CO3 contact me to set up a legal call. In the meantime, outline which issues you believe are important to you. You can either send me that letter ahead of time, or keep it to reference during our initial call. After our initial call, I will review your case file and determine which issues, if any, are legally viable. If possible, I will call and discuss my findings with you or I will write you a letter to let you know what happens next. Remember, you may write to me, or request calls to me through your CO3. I may not be able to answer

every letter. When I deem it necessary to your case, I will attempt to schedule a legal call with you as soon as possible.

I will do my best to keep you advised of my progress. These types of matters can take time, and do not go quickly. One of the means by which I may keep you advised is to copy you on filings or other documents, rather than prepare a separate letter. Please carefully read what I send to you, as it is intended to keep you current on the status of your matter.

JH2
WRONG
I do not accept registered mail. I only discuss your case with you. The attorney/client relationship is between you and I, and our privileged communications should not be shared with others, including family members. However, if you wish a relative to contact me, please have them email me at admin@jmceachern.com. That will be the most efficient way for them to contact me.

JH2
WRONG
Bear in mind that I cannot bring in additional or outside evidence in a direct appeal. I can base my brief only on the written record. Therefore, much of the back story of your case will not matter in the direct appeal process. Affidavits or statements from potential witnesses or interested parties are not necessary or relevant at this point. We must focus our attention on the evidence which has already been presented, and cannot introduce new evidence, except under extremely limited circumstances.

Again, please have your CO3 contact me. I look forward to hearing from you soon.

Sincerely,

Janelle A. McEachern

Janelle A. McEachern
Attorney at Law
#016652

JH2
WOULD NOT
PRESENT ANYTHING!
(CHOICE OF COUNSEL IS
STRUCTURED...)
SHE DENIES MY
AUTONOMY RIGHT TO SELF-
REPRESENTATION, OR EVEN TO
PRESENT MY ISSUES ON DIRECT
APPEAL. FACT P2.

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ATTACHMENT EXHIBIT 1

END

END

ATTACHMENT

EXHIBIT 2

1	2-A	1. Last Great Date; July 18, 2017
2	2-B	2. Last Great Date; November 27, 2017
3	2-C	3. Denial of Right Under Clk of Law
4	2-D	4. Last Great Date; December 4 th , 2017
5	2-E	5. Denial of Right Under Clk of Law
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12	2-L	12. Denial of Right Under Clk of Law By A. No. 5 ME
13	2-M	13. Last Great Date; February 24, 2018
14	2-N	14. Last Great Date; February 29, 2018
15	2-O	15. Last Great Date; March 5, 2018
16	2-P	16. Last Great Date; April 23, 2018
17	2-Q	17. Last Great Date; June 12, 2018
18		18. Last Great Date; June 12, 2018

COURT ORDER

DATED: JULY 18, 2017

Z-A

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 7/18/17
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)
)

ORDER RE: COUNSEL

The court has considered appellant's motion for appointment of
counsel. Appellant claims that he has not been contacted by counsel
despite his written correspondence to counsel. Appellant is
represented by the Maricopa County Public Defender. Because appellant
is represented by counsel,

IT IS ORDERED denying the motion.

_____/s/_____
ANTHONY MACKEY, Judge Pro Tem

A copy of the foregoing
was sent to:

Joseph T Maziarz
Tennie B Martin
James Norman Ziegenfuss ADOC 136479 (mailed)

COURT ORDER

DATED: NOVEMBER 27, 2017

2-B

*1ST DENIAL
OF AUTONOMY RIGHT* *

IN THE

COURT OF APPEALS

STATE OF ARIZONA

DIVISION ONE



DIVISION ONE

FILED: 11/27/2017

AMY M. WOOD,

CLERK

BY: JT

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)

ORDER DENYING MOTION

The court has considered appellant's motion to withdraw court appointed counsel and motion to expedite ruling. Appellant's request to proceed pro se on appeal is untimely. See Coleman v. Johnsen, 235 Ariz. 195, 330 P.3d 952 (2014). Furthermore, although appellant has the right to competent counsel on appeal, this does not include the right to counsel of choice. State v. Cromwell, 211 Ariz. 181, 186, ¶28, 119 P.3d 448, 453 (2005). The Sixth Amendment does not guarantee a meaningful relationship between a defendant and his attorney. Morris v. Slappy, 461 U.S. 1, 14 (1983); Cromwell, 211 Ariz. at 186, ¶28, 119 P.3d at 453. Counsel need not raise every issue on appeal requested by appellant. State v. Febles, 210 Ariz. 589, 596, ¶19, 115 P.3d 629, 636 (App. 2005). Therefore,

IT IS ORDERED granting the motion for expedited ruling.

IT IS FURTHER ORDERED denying the motion to withdraw counsel.

1ST DENIAL ON COURT ORDER

11-27-2017

IT IS FURTHER ORDERED that, in addition to the usual distribution, this order be sent to the appellant personally.

 /s/
ANTHONY MACKEY, Judge Pro Tem

A copy of the foregoing
was sent to:
Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

DENIAL OF RIGHTS UNDER COLOR
OF LAW

DATED: NOVEMBER 30, 2017.

2-C

Form COL

Violation Warning
Denial of Rights Under Color of Law

ORIGINAL
186479

► Violation Warning—18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983

Name and address of Citizen

NAMES NORMAN ZIEGENFUS
13642, ARIZONA STATE PRISON
Complex Douglas, MOUNTAIN VIEW 3A2A
700 DENVER 5667, DOUGLAS ARIZONA

Name and address of Notice Recipient

ANTHONY MACEY
PROTECTOR, COURT OF APPEALS, STATE
OF ARIZONA, DIVISION ONE, STATE COURT
BUILDING, 1501 W. WASHINGTON STREET
PHOENIX ARIZONA 85007

Citizen's statement

ESLOES PRISON TYPE MACEY DENIED MY FEDERAL
CONSTITUTIONAL RIGHTS TO SELF REPRESENTATION, ACCESS TO THE COURTS, DUE PROCESS
AND EQUAL PROTECTION UNDER COLOR LAW, A FEDERAL CRIME

I certify that the foregoing information stated here is true and correct.

Citizen's signature

[Signature]

Date ► 11-30-2017

Legal Notice and Warning

Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States ... shall be fined under this title or imprisoned not more than one year, or both.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [or] applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Warning, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

You are advised to cease and desist with your demand and to seek personal legal counsel if you do not understand the law.

Notice of Service:

[Signature]
I, *[Signature]*, certify that I personally delivered this notice to above named recipient and address on 11-30-2017 at 11:00 AM

COURT ORDER

DATED: DECEMBER 4, 2017

Z-D

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 12/4/17
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)

ORDER DENYING MOTION

The court has received a motion for test results filed by appellant in propria persona. A review of the record indicates that appellant is represented by counsel on appeal. Appellant has no right to hybrid representation. *State v. Dixon*, 226 Ariz. 545, 553, ¶ 39, 498, 250 P.3d 1174, 1182 (2011). Appellant may not file motions on his own behalf while he is represented by counsel. Therefore,

IT IS ORDERED denying the motion.

IT IS FURTHER ORDERED that, in addition to the usual distribution, this order be sent to the appellant personally.

_____/s/_____
ANTHONY MACKEY, Judge Pro Tem

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

DENIAL OF RIGHTS UNDER COLOR
OF LAW

DATED: DECEMBER 4, 2017

Z-E

Form **COL**

Violation Warning
Denial of Rights Under Color of Law

TERMINATION
AGENCY
12/04/2017

Violation Warning—18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983

Name and address of Citizen

JAMES NORMAN ZIGERTS, BELTA A.S.A.
DELA, MOBILE UNIT 3A24 P.O. BOX
8867 DELTA ARIZONA 85608

Name and address of Notice Recipient

JANIE MC BRUGEN, ATTORNEY AT LAW
P.O. BOX 1974
CLARK COUNTY ARIZONA 85644-1974

Citizen's statement

JANIE MC BRUGEN DENIED MY FEDERAL RIGHTS TO ACCESS TO THE COURTS,
DUE PROCESS OF LAW, EQUAL PROTECTION OF THE LAW, OATH OF AFFIRMATION (YES)
§ 38-231 UNDER THE COLOR OF LAW, A FEDERAL CRIME SUBJECT TO § 38-231 SECTION

I certify that the forgoing information stated here is true and correct.

Citizen's signature

[Signature]

Date 12-04-2017

Legal Notice and Warning

Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States ... shall be fined under this title or imprisoned not more than one year, or both.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [or] applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Warning, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

You are advised to cease and desist with your demand and to seek personal legal counsel if you do not understand the law.

Notice of Service:

[Signature] certify that I personally delivered this notice to above named recipient and address of 12-06-2017 at SPIN.

Public Domain—Privacy Form COL(01)

THIS WAS MAILED OUT A.D.O. LEGAL MAIL 12-06-2017
BY JAMES NORMAN ZIGERTS III, AND IS ON RECORD IN
BEAR MARICOPA County Superior Court, Appellate Court, STATE
OF ARIZONA UNDER NOTICE OF WRITING GUARDIAN
18 U.S.C. § 242; 18 U.S.C. § 245; 42 U.S.C. § 1983

JANIE MC BRUGEN IS RETIRED FROM CASE 1CA0170161;
CA 2017 136002-001 SINCE 12-06-2017 DATE OF
POSITIVE MAIL TO HER LISTED ADDRESS VERIFIED.
ALSO NEEDS TO BE REMOVED FROM MY CASE 1CA0170161;
A CONFLICT EXISTS.

COURT ORDER

DATED: DECEMBER 12, 2017.

Z-F

2ND DENIAL OF
"AUTONOMY RIGHT" §

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 12/12/17
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.) DEPARTMENT M
)
)

ORDER DENYING MOTIONS

The court has considered appellant's "Violation Warning," motion for reconsideration, and motion to expedite ruling. Appellant filed a notice of appeal in which he indicated that he wished to represent himself. Therefore, pursuant to *Coleman v. Johnsen*, 235 Ariz. 195 (2014), on March 29, 2017, this court remanded this matter to the superior court to conduct a *Faretta*-like hearing to determine that appellant's waiver of counsel on appeal was made knowingly, intelligently, and voluntarily. At that hearing, appellant advised the court that he no longer wished to represent himself, but wanted the court to appoint counsel to represent him on appeal. See Minute Entry dated April 13, 2017, in which the court noted in part that "The Defendant informs the Court that he does not waive his right to counsel and wishes to have counsel appointed to represent him through the appellate process." Thereafter, counsel was appointed for the appellant.

Approximately seven months after the appointment of counsel, and eight months after the notice of appeal, appellant filed a motion to withdraw appointed counsel and allow appellant to represent himself. This request was untimely and it was denied. "Allowing [appellant's] request[] for self-representation on appeal [at this time would][] result in unnecessary delay in the appellate proceedings." Coleman, 235 Ariz. at 198, ¶ 18.

Finally, appellant fails to set forth cause for reconsideration of this court's order denying his pro se "motion for test results." Appellant has no right to hybrid representation. State v. Dixon, 226 Ariz. 545, 553, ¶ 39, 498, 250 P.3d 1174, 1182 (2011), and he may not file motions on his own behalf while he is represented by counsel.

IT IS ORDERED denying the motions.

IT IS FURTHER ORDERED that, in addition to the usual distribution, this order be sent to the appellant personally.

/s/
LAWRENCE F. WINTHROP, Presiding Judge

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

TERMINATION OF AGENCY
LETTER.

DATED: DECEMBER 23, 2017.

2-G

"TERMINATED AGENCY"

12/23/2017

JAMES MORRIS ZIEGLER

A.D.U.C. 136479 #

A.S.P.C. Douglas

MOHAVE UNIT 3A2A

P.O. DRAWER 3867

DOUGLAS ARIZONA 87608

CASE'S

1-CA-CR-17-0181

CR-2015-13602-001

DECEMBER 23, 2017

"
CONFLICT OF
INTEREST

MRS. JANE MCLEACHRY

ATTORNEY AT LAW 016,652 #

LETTER...

P.O. Box 1474

CHANDLER, AZ. 85244

IN RE: 1-CA-CR-17-0181; CR201513602-001 #

DEAR MRS. JANE MCLEACHRY;

MY LETTER IS FOR THE PURPOSE OF LEGAL
INTEREST, FIRST AND FOREMOST, YOUR CURRENT
INFORMATION IS INCORRECT IN THE LETTER

YOU MAILED TO ME ON 12-5-2017.

"I WAS NEVER CONVICTED OF BOTH CHARGES
AFTER THE "SECOND TRIAL" SO THAT INFORMATION
IS INDEED INACCURATE."

SECONDLY, JOSH MAXWELL THE A.D.A. "NEVER
HELD ANY TRIAL FOR PRIOR FELONY CONVICTIONS"
PRIOR TO SENTENCING, MUCH PRIOR TO BEING
SENTENCED, ON 3-17-2017, THE FIRST TRIAL
WAS A MISTRIAL, THOSE TRANSCRIPTS SAID I HAD
NEVER BEEN "UNSETTLED", I AM "ILLEGALLY SENTENCED"
TO "10 YEARS" OF INCARCERATION PERIOD. AGAIN
YOUR INFORMATION WAS INCORRECT, SO I REMAIN
HAVE NO IDEA WHAT TRIAL TRANSCRIPT YOU
ARE READING, BUT OBVIOUSLY ITS NOT FROM THE
SECOND TRIAL...

YOU ARE NOT AUTHORIZED BY ME TO FILE "ANY"
TYPE OF ANSWERS BRIEF OR ANY DOCUMENT
ON MY BEHALF WHATSOEVER. YOU WERE
SENTENCED A "VIOLATION WARNING" DENIAL OF
RIGHTS UNDER COLOR OF LAW, 18 U.S.C. § 242, 18
U.S.C. § 245, 42 U.S.C. § 1983, THIS DOCUMENT IS ON
RECORD IN BOTH THE SUPERIOR COURTS & APPEAL
COURTS, AND WAS MAILED TO YOUR PRESENT
ADDRESS OF BUSINESS ON 12-06-2017 VIA
A.D.A. LEGAL MAIL, AS OF POSTAGE DATE
YOU WERE SERVED. I HAVE A COMPLETE
RECORD, AND PRINTOUT OF THIS DOCUMENT
CONFIRMING THE MAILING DATE TO A VERIFIABLE
ADDRESS, AND RECORDS AS WELL.

ADDITIONALLY, SINCE YOU AND I ARE NOT ON THE
SAME PAGE ON THIS APPEAL, AND THE INFORMATION
YOU ARE STATING TO POSSESS IS COMPLETELY
INACCURATE, AND YOU REFUSE TO WITHDRAW
FROM MY CASE, WE ARE IN CONFLICT.
THEREFORE YOU HAVE NO AUTHORIZATION TO
TO FILE "ANY" LEGAL DOCUMENT IN CASE; 1044170610
IN "MY CASE WANT SO EVER". SHOULD YOU CHOOSE
TO CONTINUE TO ATTEMPT TO GO AGAINST ISSUES OR
ATTEMPT FILE ANY DOCUMENTS IN MY CASE YOU
HAVE NOTICE SERVED FOR 'MAL-PRACTICE',
WITH RESPECT OF COURSE. SHOULD THE APPELLATE
COURTS CONTINUE TO ALLOW YOU TO REPRESENT ME,
THEY WILL BE SUBJECT TO THE SAME,
I HAVE INSTRUCTED O.P.D.S. NOT TO
APPOINT ANY MORE COUNSEL, UNTIL
I AM AWARDERED TO BE "PRO PERSONA".
YOU WERE CONFUSED OUT OR OFF MY CASE
12-06-2017 civil legal mail period
YOU WILL NOT FILE "ANY" ANDERS
BRIEF ON MY BEHIND WANT SO EVER.
O.P.D.S AND MYSELF ARE IN AGREEMENT
ON THAT SUBJECT.

WITH REGRET, YOUR SERVICES HAVE BEEN
TERMINATED, AND ITS THE COURT'S
PROCESS, YW ARE ALSO VIOLATING MY
RIGHTS TO DUE-PROCESS OF LAW; Equal
PROTECTION OF LAW; ACCESS TO THE COURTS;
AND MY CONSTITUTIONAL RIGHT TO SELF-
REPRESENTATION. "A FEDERAL CRIME."

I'VE ASKED YW TO WITHDRAW BEFORE
AND YW STILL HAVE NOT DONE SO...
SO I MAKE IT SO... YW ARE RETIRED IN
CASE, 1CA 42 17 0101, CR2015 13602-WL...
Respectfully, Submitted this 28th day
DECEMBER, 2017...

BY: MR. JAMES H. NORMAN
JAMES NORMAN, REPRESENTATIVE
"PRO-RESENT"

"STATE V. RICHMAN, 148 ARIZ. 499, 715 P.2d
752 (1986) THE RIGHT TO REPRESENT
ONESELF IS A CONSTITUTIONAL RIGHT..."

INMATE MAIL: ARIZONA DEPARTMENT OF CORRECTIONS

Inmate James Robinson

ADC # 136479 A.D.O.C.

Arizona State Prison Complex Reids

Unit MOLLAWE UNIT 5A2A

P.O. DRAWER 3867

City Reids AZ 85608

(INDIGENT MAIL)

LEGAL MAIL

ARIZONA DEPARTMENT
OF CORRECTIONS

" A.D.O.C.

LEGAL MAIL

85244-197474

95244-197474

CASE, 1CA CR 12 0181

PHOENIX

AZ 852

NO DEC 17

PHOENIX

452 0 0117

" ASPC - Douglas "

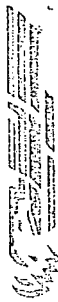
TO: MS. JANELLE McNECHER

ATTORNEY AT LAW

P.O. BOX 19747

CHANDLER ARIZONA 85244-1974

U.S. POSTAGE PITNEY BOWES



ZIP 85607 \$ 000.670

02 1W
C001402827 DEC. 28. 2017

INMATE MAIL: ARIZONA DEPARTMENT OF CORRECTIONS
Inmate James Horne

ADC # 136479 A.A.O.B.

Arizona State Prison Complex Reasas

Unit Mattie Lee 5424

P.O. Private 3867

City Reasas AZ 85608

(INDIGENT MAIL)

LEGAL MAIL
ARIZONA DEPARTMENT
OF CORRECTIONS

LEGAL MAIL

ARIZONA DEPARTMENT OF CORRECTIONS

Inmate Request for Withdrawal

ADC Number 136479 Location 34275

Date 12-28-74

Total Amount

Store ☐

Stamps ☐

Phone ☐

Other ☐

Last Name LEE

First Name MATTHEW

MI W

Pay to (Company or name of payee)

Account Number

Official Address

City

State

Zip Code

Remitter

James Horne

ATTEST (Authorizing Staff Signature)

INMATE SIGNATURE

Seal

12/28/74

COA J.H. Wall 2506

pkc

RECEIVED

TO: MRS. JUELLE M. HENNINGSEN
ATTORNEY AT LAW
P.O. BOX 1974

CHANDLER ARIZONA 85244-1974

DOB

Use BLACK INK only

und 902

COURT ORDER

DATED: JANUARY 8, 2018.

Z - H

STATE OF ARIZONA
DIVISION ONE



STATE OF ARIZONA,

Appellee,) Court of Appeals
) Division One
) No. 1 CA-CR 17-0181

v.

JAMES NORMAN ZIEGENFUSS,

Appellant.

ORDER DENYING MOTION

The court has received a motion for production of exculpatory evidence filed by appellant in propria persona. A review of the record indicates that appellant is represented by counsel on appeal. Appellant has no right to hybrid representation. *State v. Dixon*, 226 Ariz. 545, 553, ¶ 39, 498, 250 P.3d 1174, 1182 (2011). Appellant may not file motions on his own behalf while he is represented by counsel. Therefore,

IT IS ORDERED denying the motion.

IT IS FURTHER ORDERED that, in addition to the usual distribution, this order be sent to the appellant personally.

_____/s/_____
ANTHONY MACKEY, Judge Pro Tem

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

Page Three

1 CA-CR 17-0181

A copy of the foregoing
was sent to:

Joseph T Maziarz

Janelle A McEachern

James Norman Ziegenfuss, ADOC 136479 (mailed)

Amy M. Wood, Clerk

By rsl
Deputy Clerk

COURT ORDER

DATED: JANUARY 10, 2018.

Z - I

1-10-2018
COURT ORDER

IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 01/10/18
AMY M. WOOD,
CLERK
BY: RSL

STATE OF ARIZONA,)
) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)

O R D E R

The motion for appellant's counsel to allow appellant to file a supplemental brief in propria persona has been presented to the court for consideration. The motion indicates that counsel has filed an opening brief in accordance with Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967).

* → IT IS ORDERED granting the motion of appellant's counsel to allow appellant to file a supplemental brief in propria persona.

IT IS FURTHER ORDERED that appellant's counsel is directed to furnish to appellant a **paper** copy of the opening brief, together with a **paper** copy of all records on appeal, including transcripts which are now in the possession of counsel. A copy of counsel's transmittal letter, specifying the documents being forwarded, shall be sent to the Clerk of this court and to the Attorney General.

Page Two

1 CA-CR 17-0181

IT IS FURTHER ORDERED that if appellant desires to file a supplemental brief raising additional points, he may do so on or before February 20, 2018. If appellant files such a brief, an original and one copy shall be sent to the Clerk of this court, two copies to the Attorney General, and one copy to appellant's counsel.

IT IS FURTHER ORDERED that the filing of an answering brief by appellee, State of Arizona, shall await the further order of this court.

/s/

ANTHONY MACKEY, PRO TEM JUDGE

↑

LETTER FROM MS. JANELLE MCEACHERN

DATED: JANUARY 15, 2018

Z-J

*FILED - ANDERS BRIEF AGAINST MY
MY DIRECT INSTALLATION* *ANYHOWY RIGHT ONLY -*

* JANELLE A. MCEACHERN 1/15/2018
ATTORNEY AT LAW - #016652

PO BOX 1974, CHANDLER AZ 85244
480-899-4115
admin@jmceachern.com



* January 15, 2018

Mr. James Ziegenfuss #136479
ASPC-DOUGLAS/MOHAVE UNIT
PO Box 3867
Douglas, AZ 85608

Dear Mr. Ziegenfuss:

* Enclosed is a copy of the opening brief that I have filed in your behalf in your criminal matter. You will notice that it is called an Anders brief. This means that I have researched the record of your trial and cannot find any issues to argue on appeal. Therefore, I have requested the Court of Appeals to search the record for fundamental error and to allow you, if you wish, to file an additional brief with the court discussing any arguments that you believe apply to your case. The Court of Appeals will send me an order to formally turn over your file to you, along with a due date for your brief. I will then turn over your file to you and inform you of the date your brief is due.

* My review of the case indicates that you were charged with one count of Burglary and one count of False Reporting to a Police Officer. You represented yourself at your first trial, which resulted in a deadlocked jury. * You received a bench trial on the False Reporting, of which you were convicted. Then, you went to trial again on the Burglary and were convicted. The jury found aggravating factors, including that the offense committed was in expectation of pecuniary gain (money). The trial court sentenced you to a minimum term of 10 years. I could find no legal errors with how the trial court conducted the trial.

* → In your letters to me, you were adamant that you wanted to represent yourself, which the Court of Appeals denied. You were also adamant that I not file an * ←

Anders brief. However, as I explained in my earlier letter to you, this would allow you the opportunity to write a supplemental brief to the Court of Appeals disagreeing with my conclusions and alleging any issues you wish to allege. The law puts you in charge of the objectives of your case, to be found innocent or to act as your own attorney. The law puts me in charge of the means of achieving those objectives. Further, the law puts me in charge of deciding which type of brief to file. I filed an Anders brief, which allows you the objective of representing yourself. Indeed, unless I had filed an Anders brief, you would have been unable to represent yourself on appeal.

You also have the option of filing a petition for post-conviction relief with the trial court, after your appeal is over. You will have ninety days from the date of the final decision on your appeal to file your petition if you wish to do so.

I understand that this is not the news you wished to hear. If you have further questions, please have your prison counselor contact me.

I look forward to hearing from you soon.

Sincerely,

Janelle A. McEachern

Janelle A. McEachern
Attorney at Law

COURT ORDER

DATED: JANUARY 22, 2018.

Z-H

"DENIAL OF ACCESS TO THE COURTS"

→ STATED BY A.D.O.C

STATE PARALEGAL
MS. ULIBARRI

IN THE

COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 1/22/18
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,	)	Court of Appeals
	)	Division One
Appellee,	)	No. 1 CA-CR 17-0181
)	
v.	)	Maricopa County
	)	Superior Court
JAMES NORMAN ZIEGENFUSS,	)	No. CR2015-136002-001
)	
Appellant.)	
)	
)	

ORDER DENYING MOTION

The court has considered appellant's motion for injunctive relief. The relief requested is not cognizable by the court in this appeal.

IT IS ORDERED denying the motion.

_____/s/_____
ANTHONY MACKEY, Judge Pro Tem

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

→ DENIAL OF ACCESS TO THE COURTS
BY THE STATE PARALEGAL MS. ULIBARRI
→ A.D.O.C.

DENIAL OF MEANINGFUL ACCESS

TO THE COURTS BY A.D.O.C.

DATED: MARCH 15, 2018 BY

STATE PARALEGAL MS. B. ULIBARRI
GRIEVANCE PROCESS

DATED: FEBRUARY 24, 2018

2-L


Arizona Department of Corrections

Memorandum

SECOND-LEVEL GRIEVANCE APPEAL PACKAGE

Email to GRIEVANCES APPEALS.

From: COIV Douglas E. Santiago # 7659



Complex: Douglas Unit: Mohave

Subject: Here is a second-level appeal from Inmate Ziegenfuss, James

ADC 136479

on case # D06-009-018

The following Items are attached: (Cross out any not Applicable)

1. Second Level Grievance Appeal to Director (802-3-P)
2. Initial Grievance Response from Deputy Warden (GF Supplement 802-7)
3. Initial Grievance filed by Inmate to Deputy Warden (802-1)
4. Response to Informal Complaint (802-12-E)
5. Inmate Informal Complaint Resolution (802-11-E)
6. Copy of D.O. 902 Inmate Legal Access to the Courts

The inmate may appeal the Warden's, Deputy Warden's or Administrator's decision to the Director by requesting the appeal on this form.

Received By: CAPT. MESS, J
Title: CAPTAIN
Badge #: 1652
Date: (mm/dd/yyyy) 4-12-18

[illegible]

Please type or print in black or blue ink.
(To be completed by staff member
initially receiving appeal)

PAGE 24

Received By: MESS, J
Title: Captain
Badge #: 662
Date: (mm/dd/yyyy) 4-17-18

[illegible]

PAGE 2

802-3
12/12/13

PAGE 34

The inmate may appeal the Warden's, Deputy Warden's or Administrator's decision to the Director by requesting the appeal on this form.

Received By: MESS, J
Title: CA, Liaison
Badge #: 6652
Date: (mm/dd/yyyy) 4-17-18

INMATE'S NAME (Last, First M.I.) (please print)		ADC NUMBER		DATE (mm/dd/yyyy)	
ZIEGENFUS, JAMES		13647		3/15/2018	
INSTITUTION			CASE NUMBER		
DUGAN MICHAE			# DUG 009 - CLE #		
TO: DIRECTOR					
I am appealing the decision of <u>MICHAEL TAYLOR DU, ASAC, MICHAE</u> for the following reasons:					
BECAUSE INMATES WHO HAVE MONIES ON THEIR INMATE BANKING ACCOUNTS DO NOT REQUIRE REVIEW, BUT YET YOU WANT TO REVIEW MY LEGAL DOCUMENTS PRIOR TO BEING FILED, AND I AM BEING CHARGED FINANCIALLY RESPONSIBLE, PLUS IT TAKES UP TO SOMEONE 6 DAYS TO GET MY LEGAL DOCUMENTS RETURNED - NOW DO PAYING INMATES NEED TO WAIT FOR ANY APPROVAL FROM ANYONE TO MAKE LEGAL COPIES THEY CHOOSE TO MAKE - I AM PRO TO NOT REQUIRE HER APPROVAL BEFORE MAKE ANY LEGAL COPIES THAT I FEEL NEED TO BE MADE - OR CHOOSE TO MAKE -					
INMATE'S SIGNATURE		DATE (mm/dd/yyyy)		GRIEVANCE COORDINATOR'S SIGNATURE	
<u>[Signature]</u>		3/15/2018		<u>[Signature]</u>	
RESPONSE TO INMATE BY		LOCATION		DATE (mm/dd/yyyy)	
				5-7-18	
STAFF SIGNATURE				DATE (mm/dd/yyyy)	

ARIZONA DEPARTMENT OF CORRECTIONS

Inmate Grievance

Received By

ENCINAS

Title

LAW

Badge Number

1196

Date

2/27/2018

Note: You may appeal the Grievance Coordinator's decision to the Warden/Deputy Warden/Administrator by filing form 802-3, within 10 calendar days of receipt of this notice.

Inmate Name (Last, First M.I.)

ZIEGENFELS JAMES M.

ADC Number

136479

Date

2-24-2018

Institution/Facility

MCNAUL UNIT 4B-3A

Case Number

006-009-018

To:

CO IV SANITARIO PAGE 1

Description of Grievance (To be completed by the inmate)

IN RESPONSE TO 2/23/2018 INFORMAL COMPLAINT, THE LEGAL DOCUMENTS WERE COMPLETE AS TO WHAT NEEDED TO BE COPIED, AFTER MS. ULIBARRI HAD PLenty OF TIME TO REVIEW THEM FIRST HAND, SECONDLY NORMALLY AN INMATE IS ONLY REQUIRED TO PROVIDE THE TOP OR COVER PAGE, ALWAYS WITH A LIST OF HOW MANY PAGES EACH COMPLETE DOCUMENT WILL NEED TO BE COMPLETE NOT THE ENTIRE DOCUMENT FOR HER REVIEW, TO BE LEGALLY APPROVED TO BE COPIED, SHE HAD NO NEED TO VIEW MY COLOR PHOTOGRAPHS UNLESS EVEN BECAUSE OBVIOUSLY WE CANT DO COLOR COPIES HERE AT MCNAUL MCNAUL UNIT, MY IDEAS COPIES COME FROM MY "PRIVATE INVESTIGATOR" DILANO & ASSOCIATES - T. NEENA REQUESTED MS. ULIBARRI TO AUTHORIZE ANY COPIES OF (PHOTOS I KNOW SHE CANT COPY IN COLOR SHE DIDN REVIEW THE 31.9(A) 31.9.(D) MOTION TO INCLUDE COPIES TO THE COURT THAT AS SHE, ALWAYS MAKE THAT SHE NEEDS TO REVIEW -

Proposed Resolution (What informal attempts have been made to resolve the problem? What action(s) would resolve the problem?)

SHE HAS ONLY BEEN REQUIRED IN THE PAST TO PROVIDE ONLY THE COVER PAGE ALTHOUGH TO BE APPROVED IN THE PAST, TO PLAN AHEAD IN THE PAST IS WHAT I DO TO PREPARE MY LEGAL DOCUMENT BECAUSE SHE TAKES SOMETIME OVER 3 DAYS OR MORE TO REVIEW ANYTHING AND I DO TRY TO BE PATIENT, BUT IT ALWAYS COMES DOWN TO THE LAST MINUTE AS TO WHETHER I RECEIVE THE COPIES OR NOT - I AM PRO PERSONA IN MY CASES AND USUALLY HAVE AN

Inmate's Signature

136479

Date

2-24-2018

Grievance Coordinator's Signature

DGE

Date

3-5-18

Action taken by

Documentation of Resolution or Attempts at Resolution.

Staff Member's Signature

Badge Number

DU

Date

3/14/18

ARIZONA DEPARTMENT OF CORRECTIONS

Inmate Grievance

Note: You may appeal the Grievance Coordinator's decision to the Warden/Deputy Warden/Administrator by filing form 802-3, within 10 calendar days of receipt of this notice.

Received By

ENCINAS, R

Title

Sgt

Badge Number

1196

Date

2/27/18

Inmate Name (Last, First M.I.)

ZIEGLER, James M

ADC Number

136479

Date

2-24-2018

Institution/Facility

MOHAVE UNIT 4B-3A

Case Number

006-009-018

To:

C. IV SANTIAGO

PAGE 2nd

Description of Grievance (To be completed by the inmate)

EDITION OF WHAT I AM DOING LEGALLY, ESPECIALLY IN MY OWN CASES - ALL OF MY COPIES ARE QUALIFIED LEGAL COPIES, AND DO MEET THE COURT'S APPROVAL - BECAUSE I AM INDIGENT STARTS OR NOT I START AM BEING CHARGED ON MY ACCOUNT REGARDLESS OF HOW MANY COPIES I MAKE, AND WAS "NO-BEARING" ON WHETHER OR NOT I RECEIVE LEGAL COPIES - MS. WILSONIT WAS AWARE I NEEDED THESE DOCUMENTS BEFORE 2/25/18 TO MEET MY DEADLINE PERIOD, IT WAS WRITTEN ON THE FORM SUBMITTED TO HER, SO SHE WAS AWARE, AND CONTINUED TO DEMAND TO SEE THE PHOTOGRAPHS, THAT DIDN'T NEED TO BE COPIED, AND PERSISTED TO ASK ME TO COPY THE DOCUMENTS SHE AM READY REVIEWED TO MEET DEADLINES THE PHOTO COPIES WERE ALTHOUGH TO DO WITHIN MS. WILSONIT WANTS EVEN ONLY THE MEDIUM TO SUBMIT THEM TO COURT -

Proposed Resolution (What informal attempts have been made to resolve the problem? What action(s) would resolve the problem?)

IF THAT MOUTH I SHOULD NOT NEED TO GO THROUGH THE THIRD DEGREE TO MAKE MY LEGAL COPIES WHEN I NEED THEM PERIOD - I WOULD BE PAYING FOR ALL LEGAL COPIES ANYWAY - I AM PROPER - AND DO NOT NEED TO EXPLAIN TO HER THE REASON WHY I NEED THE COPIES - EITHER. I NEVER REQUESTED HER ASSISTANCE WHAT SO EVER IN MY LEGAL MATTERS - OTHER THAN COPIES OR LEGAL SUPPLIES THATS HER ONLY REMOVAL IN MY LEGAL MATTERS - OTHER THAN THAT I HANDLE MY OWN CASE AND DOES

Inmate's Signature

136479

Date

2-24-18

Grievance Coordinator's Signature

[Signature]

Date

3-5-18

Action taken by

Documentation of Resolution or Attempts at Resolution.

See attached

Staff Member's Signature

[Signature]

Badge Number

DW

Date

3/14/18

ARIZONA DEPARTMENT OF CORRECTIONS

Inmate Grievance

Received By <u>ENCINAS, R</u>	
Title <u>SCIT</u>	
Badge Number <u>1196</u>	Date <u>2/27/18</u>

Note: You may appeal the Grievance Coordinator's decision to the Warden/Deputy Warden/Administrator by filing form 802-3, within 10 calendar days of receipt of this notice.

Inmate Name (Last, First M.I.) <u>ZIEGLER, JAMES M.</u>	ADC Number # <u>136479</u>	Date <u>2-24-2018</u>
Institution/Facility <u>MCNAUL UNIT 4B-3A</u>	Case Number <u>206-009-018</u>	
To: <u>CUTS SANTIAGO</u> <u>PAGE 3</u>		

Description of Grievance (To be completed by the inmate)

NOT CONCERN HER, NOR THE CONTENT OF MY LEGAL DOCUMENT DOES ANY CONCERN HER. I SUBMITTED THE REQUIRED FIRST COURT PAGE TO EACH DOCUMENT, WHILE I WAS STANDING THERE MS. ULIBARI CALLED MS. HUNTER BY THE PHONE, THEN MS. ULIBARI WANTED TO SEE THE ENTIRE DOCUMENT, I THEN COOPERATED FULLY MORE THAN I SHOULD HAVE, ADDED THAT I TAKE PLEAS - THEN AFTER THAT WAS COMPLETE, MS. ULIBARI THEN WANTED TO HAVE ME SUBMIT MY PHOTOGRAPHS - THAT SHE WAS NOTHING TO DO WITH I HAD THEN I RETURNED IT I DID NOT PROVIDE THE LAW PHOTOGRAPHS TO MS. ULIBARI, FOR REVIEW SHE WOULD NOT PROVIDE LEGAL SUPPLIES EITHER, AFTER I AM READY MET HER, ON THE REQUIREMENT THAT NORMALLY FOLLOWED MS. HUNTER WANTED TO GO WITH WILSON ONLY THE COVER PAGE WAS REQUIRED - WHILE I SAT IN COURT WILSON OFFICE AFTER MS. ULIBARI REFERRED TO MAKE COPIES OF THE DOCUMENTS

Proposed Resolution (What informal attempts have been made to resolve the problem? What action(s) would resolve the problem?)

AM READY REVIEWED & AM REFERRED TO EACH MAKE COPIES OF THESE DOCUMENTS - SHE ADVISED HER POSITION AND AUTHORITY - I AM IDENTIFIED AS PRO PER - SHE REFERRED LEGAL SUPPLIES & COPIES SHE WANTED MY CONSTITUTIONAL RIGHT TO ACCESS TO THE COURTS - TO FIND A DENIAL OF REQUEST UNDER COLOR OF LAW WITH THE APPELLATE COURT, AND WOULD BE SERVING MS. ULIBARI AS WELL - AND CONTINUED TO THE FEDERAL COURT AM READY BEFORELINE I MISSED MY LEGAL DEADLINE

Inmate's Signature <u>[Signature]</u>	Date <u>2-24-18</u>	Grievance Coordinator's Signature <u>[Signature]</u>	Date <u>3-5-18</u>
--	------------------------	---	-----------------------

Action taken by _____ Documentation of Resolution or Attempts at Resolution.

See attached

Staff Member's Signature <u>[Signature]</u>	Badge Number <u>[Signature]</u>	Date <u>3/15/18</u>
--	------------------------------------	------------------------

ARIZONA DEPARTMENT OF CORRECTIONS

Inmate Grievance

Received By

ENCINAS

Title

Sgt

Badge Number

1196

Date

2/27/18

Note: You may appeal the Grievance Coordinator's decision to the Warden/Deputy Warden/Administrator by filing form 802-3, within 10 calendar days of receipt of this notice.

Inmate Name (Last, First M.I.)

ZIEGLER, JAMES

21

ADC Number #

136479

Date

2-24-2018

Institution/Facility

MOLAVE UNIT 4B-3A

Case Number

D06-009-08

To:

C/O JH SANTIAGO

PAGE 4 #

Description of Grievance (To be completed by the inmate)

TO MY APPLICANT BRIEF NOW WAS CAUSED "ACTUAL INJURY" IN BEING ABLE TO ASSESS A NON-FRIVOLOUS CLAIM BY AND THROUGH DISCRIMINATORY EFFECT AND INTENT, ALSO IN AN EFFORT TO LEGAL SUPPLIES SEE *WILKINSON v. LEBLANC* - 256 F.3D 764 (5th Cir. 2001) SEE *LEWIS v. CASE* 518 U.S. 343 (1996); SEE *MYERS v. WADLEY*, 101 F.3D 542 (8th Cir. 1996); *BENJAMIN v. KIRK* 102 F. Supp. 2D 157 (S.D.N.Y., 2002). "THE SUPREME COURT ESTABLISHED THAT DISCRIMINATION WAS A FUNDAMENTAL RIGHT TO ACCESS THE COURTS IN A SERIES OF IMPORTANT CASES, INCLUDING *EX PARTE HILL*, 312 U.S. 546 (1941); *JOHNSON v. ALLEN* 383 U.S. 483 (1966); *BOWEN v. SMITH* 430 U.S. 237 (1977); RE TO MS. ULIBARRI ACTIONS/INITIATIVES ON IN AGGRIEVANCE W/O LEGAL SUPPLIES, AND THROUGH HER ABUSE OF AUTHORITY AND DISCRETION WAS CAUSED ACTUAL "INJURY" TO FILE MY NON-FRIVOLOUS CLAIM, AND WAS PREVENTING MY CASE IN THE COURT OF APPEALS - AND CIVIL RIGHTS - BY HER RETALIATION -

Resolution (What informal attempts have been made to resolve the problem? What action(s) would resolve the problem?)

Very simple she needs to stop discriminating against me, provide cannot ask for what I ask for it, she has no right to read my legal material - now because my legal material was adverse action was caused actual injury to my legal endeavors - REMOVE MS. ULIBARRI AS A PARALEGAL / ~~DOES NOT HAVE THE AUTHORITY~~ TO FIND SOMEONE ELSE WHO DOES NOT ABUSE HER AUTHORITY OR DISCRETION - ~~TO REMOVE ME IS~~ TERMINATE MS. ULIBARRI, A SUITE WILL BE FILED - ~~RETRIBUTION~~ -

Inmate's Signature

Date

2/24/18

Grievance Coordinator's Signature

Date

3-5-18

Action taken by

Documentation of Resolution or Attempts at Resolution.

See attached

Staff Member's Signature

Badge Number

Date

3/14/18

COURT ORDER

DATED: JANUARY 29, 2018.

Z - M

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 1/29/18
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)

ORDER RE: MOTION

The court has considered appellant's motion to include
photographs and for an extension of time. Appellant does not identify
any photograph and none are reflected in the list of exhibits.

Therefore,

→ IT IS ORDERED denying the motion to include photographs.

IT IS FURTHER ORDERED granting the motion to extend and
extending the time for filing the pro se supplemental brief to and
including February 26, 2018.

_____/s/_____
MELINA BRILL, Judge Pro Tem

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

COURT ORDER

DATED: FEBRUARY 12, 2018.

Z-N

RECEIVED

FEB 23 2018

COURT OF APPEALS
DIVISION ONE

IN THE

COURT OF APPEALS

STATE OF ARIZONA

DIVISION ONE



DIVISION ONE

FILED: 2/12/18

AMY M. WOOD,

CLERK

BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)
)

ORDER DENYING MOTION

The court has considered appellant's motion to extend the time
for filing the supplemental brief. Appellant is advised that the
notice of complete record was issued on August 29, 2017. No objection
was filed. The transcripts filed are certified by the court reporters
as true and accurate. No timely designation of additional transcripts
was filed. Therefore,

IT IS ORDERED denying the motion.

_____/s/_____
ANTHONY MACKEY, Judge Pro Tem

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

_____/s/_____
ANTHONY MACKEY, Judge Pro Tempore

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
Tennie B Martin
James Norman Ziegenfuss (mailed)
Hon Michael K Jeanes
James Norman Ziegenfuss
Christopher G Bleuenstein

COURT ORDER

DATED: MARCH 5, 2018

Z-O

*
RECEIVED

MAR 19 2018

COURT OF APPEALS
DIVISION 1

→ 3RD DENIAL OF
"ANTHONY RIGHT TO SELF REPRESENTATION"
EVEN AFTER 1-10-2018 ORDER

IN THE

COURT OF APPEALS

STATE OF ARIZONA

DIVISION ONE



DIVISION ONE

FILED: 3/5/18

AMY M. WOOD,

CLERK

BY: AJA

STATE OF ARIZONA,

Appellee,)

v.)

JAMES NORMAN ZIEGENFUSS,

Appellant.)

) Court of Appeals

) Division One

) No. 1 CA-CR 17-0181

)

) Maricopa County

) Superior Court

) No. CR2015-136002-001

)

)

)

)

RECEIVED

MAR 19 2018

COURT OF APPEALS
DIVISION 1

ORDER DENYING MOTIONS

The court has received motions from the appellant filed in propria persona. A review of the record indicates that appellant is represented by counsel on appeal. Appellant has no right to hybrid representation. State v. Dixon, 226 Ariz. 545, 553, ¶ 39, 498, 250 P.3d 1174, 1182 (2011). Appellant may not file motions on his own behalf while he is represented by counsel. Therefore,

IT IS ORDERED denying the motions.

IT IS FURTHER ORDERED that, in addition to the usual distribution, this order be sent to the appellant personally.

_____/s/_____
ANTHONY MACKEY, Judge Pro Tempore

A copy of the foregoing
was sent to:

Joseph T Maziarz

Janelle A McEachern

James Norman Ziegenfuss ADOC 136479 (mailed)

COURT ORDER

DATED: APRIL 23, 2018

Z-P

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 4/23/18
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)
)

ORDER DENYING MOTIONS

The court has considered appellant's motion to correct the record, motions to stay proceedings, violation warning, motion to have missing transcripts transcribed, and petition to stay proceeding. For reasons set forth in previous orders of the court denying the same or similar motions,

IT IS ORDERED denying the motions.

_____/s/_____
MELINA BRILL, Judge Pro Tempore

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

COURT ORDER

DATED: JUNE 12, 2018

Z-Q

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 6/12/18
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
Appellee,) No. 1 CA-CR 17-0181
)
v.) Maricopa County
) Superior Court
JAMES NORMAN ZIEGENFUSS,) No. CR2015-136002-001
)
Appellant.)
)
)

ORDER DENYING REQUEST

Presiding Judge Michael J. Brown, Judge Maria Elena Cruz, and Judge David D. Weinzwieg have received and considered Appellant's petition to stay proceedings and request for oral argument. After consideration,

IT IS ORDERED denying Appellant's petition to stay and request for oral argument.

/s/
Michael J. Brown, Presiding Judge

A copy of the foregoing
was sent to:

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss ADOC 136479 (mailed)

ATTACHMENT EXHIBIT 2.

END

ATTACHMENT

EXHIBIT 3

SUPREME COURT STATE OF ARIZONA

1. COURT ORDER DATED: AUGUST 26th, 2020 . . . 3-A
2. COURT ORDER DATED: AUGUST 27th, 2020 . . . 3-B
3. COURT ORDER DATED: FEBRUARY 27th, 2020 . . . 3-C
4. COURT ORDER DATED: FEBRUARY 24, 2020 . . . 3-D
5. COURT ORDER DATED: JUNE 7, 2019 . . . 3-E
6. COURT ORDER DATED: NOVEMBER 14th, 2019 . . . 3-F
7. COURT ORDER DATED: FEBRUARY 14th, 2018 . . . 3-G
8. COURT ORDER DATED: JANUARY 12th, 2018 . . . 3-H

ATTACHMENT

EXHIBIT 3

ARIZONA SUPREME COURT ORDER

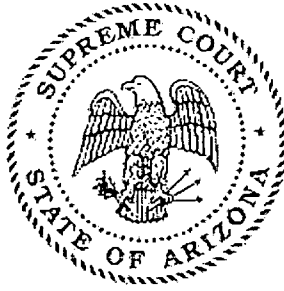
AUGUST 26TH 2020

M-20-0035

JAMES ZIEGENFUSS

V

HON. S. MACKEY / WIN THRO P ET AL
(3-A)



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

August 26, 2020

RE: JAMES ZIEGENFUSS v HONS. MACKEY/WINTHROP et al
Arizona Supreme Court No. M-20-0035
Court of Appeals, Division One No. 1 CA-CR 17-0181
Maricopa County Superior Court No. CR2015-136002-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on August 26, 2020, in regard to the above-referenced cause:

ORDERED: The Court declines to accept jurisdiction of the petition for special action.

A panel composed of Vice Chief Justice Timmer, Justice Bolick, Justice Lopez and Justice Beene participated in the determination of this matter.

Janet Johnson, Clerk

TO:

James Norman Ziegenfuss, ADOC 136479, Arizona State Prison,
Red Rock Correctional Center

tel

Arizona Supreme Court

Miscellaneous Special Action

M-20-0035

JAMES ZIEGENFUSS v. HONS. MACKEY/WINTHROP et al

Appellate Case Information

Case Filed: 1-Apr-2020

Case Closed:

Dept/Composition

Side 1. JAMES NORMAN ZIEGENFUSS, Petitioner

(Litigant Group) JAMES NORMAN ZIEGENFUSS

• James Norman Ziegenfuss, Pro Se

PRO SE

Side 2. HONS. ANTHONY MACKEY AND LAWRENCE WINTHROP, JUDGES OF THE STATE OF ARIZONA, in and for the Court of Appeals, Division One, Respondent

(Litigant Group) HONS. ANTHONY MACKEY AND LAWRENCE WINTHROP, JUDGES OF THE STATE OF ARIZONA, in and for the Court of Appeals, Division One

• Hon. Anthony Mackey

• Hon. Lawrence F Winthrop

Side 3. MARK BRNOVICH, Real Party in Interest

(Litigant Group) MARK BRNOVICH

• Mark Brnovich, Arizona Attorney General's Office

CASE STATUS

Apr 1, 2020.....Pending

PREDECESSOR CASE(S)

	Cause/Charge/Class	Judgment/Sentence	Judge/Role <Comments>	Trial	Dispo
1 CA	1 CA-CR 17-0181				
↳ MAR	CR2015-136002-001	Burglary in the Second Degree, Class 3	10 Years	Virginia L Richter, Sentencing Comments: (none)	JURY

6 PROCEEDING ENTRIES

- 1-Apr-2020 FILED: Petition for Special Action (Petitioner Ziegenfuss, Pro Se)
- 15-Apr-2020 FILED: Notice "Information in Regard to Recent Special Action" Number Filing (Petitioner Ziegenfuss, Pro Se)
- 16-Apr-2020 SENT: Letter to Petitioner Ziegenfuss, Pro Se Re: Copy of Public Docket
- 20-Apr-2020 RECEIVED: Letter from Petitioner Ziegenfuss, Pro Se Re: "Information Requested Second Letter SA Number"
- 21-Apr-2020 SENT: Letter to Petitioner Ziegenfuss, Pro Se Correcting Short Caption, Copy of Public Docket and Case Status
- 8-Jun-2020 SENT: Letter to Petitioner Ziegenfuss, Pro Se Copies of Public Docket for Case Nos. M-20-0025 and M-20-0035

ARIZONA SUPREME COURT ORDER

AUGUST 27th, 2020

M-20-0025

(3-B)



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

August 27, 2020

RE: STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS
Arizona Supreme Court No. M-20-0025
Court of Appeals, Division One No. 1 CA-CR 19-0615 PRPC
Maricopa County Superior Court No. CR2015-136002-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on August 26, 2020, in regard to the above-referenced cause:

ORDERED: Petition for Review Court Orders Dated 1-22-2020 =
DENIED.

FURTHER ORDERED: Petition for Review of Denial of Notice of
Correction of Record by Abuse of Discretion = DENIED.

FURTHER ORDERED: Petition for Review of Denial of Petitioner's
Motion to Reconsider Court Order of April 20th 2020, Denying
Petitioner's April 10, 2020, Motion Titled Filing of Additional
Exhibits; Motion to Include Mesa P.D. Body Cam Footage Mesa PD
Training Matrix; Production of 11 East McKellips Rad Video
Footage = DENIED.

FURTHER ORDERED: Petition for Review of Court Order by; Benjamin A. Armstrong Court of Appeals State of Arizona Dated: 01-07-2020
= DENIED.

A panel composed of Vice Chief Justice Timmer, Justice Bolick, Justice Lopez and Justice Beene participated in the determination of this matter.

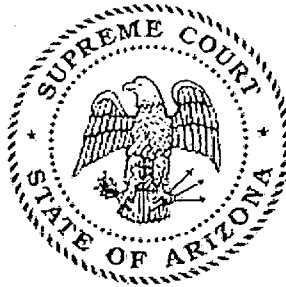
Janet Johnson, Clerk

TO:

James Norman Ziegenfuss, ADOC 136479, Arizona State Prison, Red
Rock Correctional Center

Lisa Marie Martin

jj



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

June 8, 2020

James Norman Ziegenfuss, ADOC 136479
Arizona State Prison
Red Rock Correctional Center
1752 E. Arica Road
Eloy, AZ 85131

RE: STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS
Arizona Supreme Court No. M-20-0025
Court of Appeals; Division One No. 1 CA-CR 19-0615 PRPC
Maricopa County Superior Court No. CR2015-136002-001

STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS
Arizona Supreme Court No. M-20-0035
Court of Appeals, Division One No. 1 CA-CR 17-0181 PRPC
Maricopa County Superior Court No. CR2015-136002-001

Dear Mr. Ziegenfuss:

Per our telephone conversation held on June 1, 2020, please see attached Arizona Supreme Court Public Docket sheets for your case nos. M-20-0025 and M-20-0035.

Janet Johnson
Clerk of the Court

By KJ

Deputy Clerk

Arizona Supreme Court

Miscellaneous Special Action

M-20-0025

STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS

Appellate Case Information

Case Filed: 6-Mar-2020

Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Respondent

Lisa Marie Martin, Esq. (AZ Bar No. 10668)

Side 2. JAMES NORMAN ZIEGENFUSS, Petitioner

(Litigant Group) JAMES NORMAN ZIEGENFUSS

- James Norman Ziegenfuss, Pro Se

PRO SE

CASE STATUS

Mar 6, 2020.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role, Comments	Trial	Dispo
1 CA	1 CA-CR 19-0615 PRPC				
MAR	CR2015-136002-001		Virginia L Richter, Judge on PC Comments: (none)		

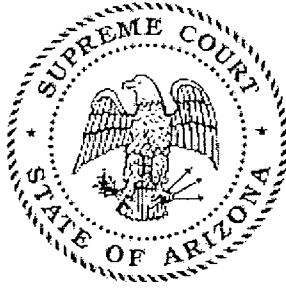
7 PROCEEDING ENTRIES

- 6-Mar-2020 FILED: Petition for Review of Court Order by; Benjamin A. Armstrong Court of Appeals State of Arizona Dated: 1-07-2020 (Petitioner Ziegenfuss, Pro Se)
- 12-Mar-2020 FILED: Petition for Review Court Orders Dated 1-22-2020 (Petitioner Ziegenfuss, Pro Se)
- 9-Mar-2020 RECEIVED: Letter From Petitioner Ziegenfuss, Pro Se Re: Change of Address Notice
- 15-May-2020 FILED: Petition for Review of Denial of Notice of Correction of Record by Abuse of Discretion (Petitioner Ziegenfuss, Pro Se)
- 18-May-2020 FILED: Petition for Review of Denial of Petitioner's Motion to Reconsider Court Order of April 20th 2020, Denying Petitioner's April 10, 2020, Motion Titled Filing of Additional Exhibits; Motion to Include Mesa P.D. Body Cam Footage Mesa PD Training Matrix.; Production of 11 East McKellips Rad Video Footage (Petitioner Ziegenfuss, Pro Se)
- 26-May-2020 FILED: Filing of Petition for Review (Treated as Certificate of Service and Certificate of Compliance) (Petitioner Ziegenfuss, Pro Se)
- 8-Jun-2020 SENT: Letter to Petitioner Ziegenfuss, Pro Se Copies of Public Docket for Case Nos. M-20-0025 and M-20-0035

ARIZONA SUPREME COURT ORDER

FEBRUARY 27th 2020

M-19-0073



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

February 27, 2020

James Norman Ziegenfuss, ADOC 136479
Arizona State Prison
Florence - West
P.O. Box 9200
Florence, AZ 85132-9200

RE: STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS
Arizona Supreme Court No. M-19-0073
Court of Appeals, Division One No. 1 CA-CR 19-0615 PRPC
Maricopa County Superior Court No. CR2015-136002-001

Dear Mr. Ziegenfuss:

The Arizona Supreme Court Clerk's office received your "Written Response Requested by Petitioner" on February 26, 2020.

A panel composed of Chief Justice Brutinel, Justice Bolick, Justice Lopez and Justice Beene declined to accept jurisdiction on your Petition for Review Court Order Dated December 9, 2019, Order to Show Cause for Emergency Injunctive Relief for Denial of Access to the Courts Dated: 1-07-2020, and Petition for Review Court Orders Dated 1-22-2020 on February 24, 2020. Our records indicate that a copy of the Court's Minute Letter was sent to you; another copy is enclosed along with our Public Docket. The case is now closed at the Arizona Supreme Court.

Janet Johnson
Clerk of the Court

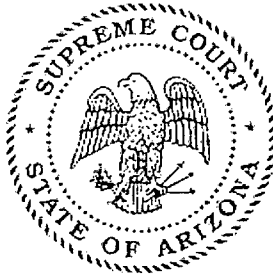
By 
Deputy Clerk

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ARIZONA SUPREME COURT ORDER

FEBRUARY 24TH, 2020

M-19-0073



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

February 24, 2020

RE: STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS
Arizona Supreme Court No. M-19-0073
Court of Appeals, Division One No. 1 CA-CR 19-0615 PRPC
Maricopa County Superior Court No. CR2015-136002-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on February 24, 2020, in regard to the above-referenced cause:

ORDERED: The court declines to accept jurisdiction of the petition for special action.

A panel composed of Chief Justice Brutinel, Justice Bolick, Justice Lopez and Justice Beene participated in the determination of this matter.

Janet Johnson, Clerk

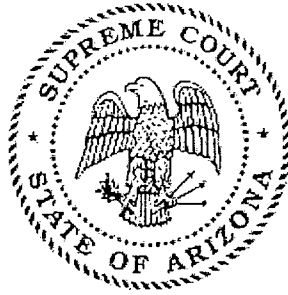
TO:
James Norman Ziegenfuss, ADOC 136479, Arizona State Prison,
Florence - West
Lisa Marie Martin
Amy M Wood
kj

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18 ARIZONA SUPREME COURT ORDER
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20 JUNE 7, 2019
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22 CR-19-0057-PR
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(3-E)



Supreme Court

STATE OF ARIZONA

SCOTT BALES
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007-3231
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

June 7, 2019

RE: STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS
Arizona Supreme Court No. CR-19-0057-PR
Court of Appeals, Division One No. 1 CA-CR 17-0181
Maricopa County Superior Court No. CR2015-136002-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on June 7, 2019, in regard to the above-referenced cause:

**ORDERED: Special Action (Treated as Petition for Review) =
DENIED.**

A panel composed of Chief Justice Bales, Justice Bolick, Justice Gould and Justice Lopez participated in the determination of this matter.

Janet Johnson, Clerk

TO:

Joseph T Maziarz

James Norman Ziegenfuss, ADOC 136479, Arizona State Prison, Yuma
Cheyenne Unit

Amy M Wood

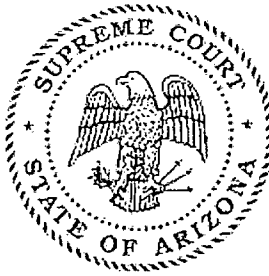
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ARIZONA SUPREME COURT ORDER

NOVEMBER 14TH 2019

CR-19-0256-PR

(3-F)



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007
TELEPHONE: (602) 452-3396

JANET JOHNSON
Clerk of the Court

November 14, 2019

RE: STATE OF ARIZONA v JAMES NORMAN ZIEGENFUSS

Arizona Supreme Court No. CR-19-0256-PR

Court of Appeals, Division One Nos. 1 CA-CR 19-0386 PRPC

1 CA-CR 19-0395 PRPC

Maricopa County Superior Court No. CR2015-136002-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on November 14, 2019, in regard to the above-referenced cause:

ORDERED: Untitled Document (Treated as Motion for Injunctive Relief) = DENIED.

FURTHER ORDERED: Petition for Review of Maricopa County Superior Court Order Dated: June 24, 2019; Appellate Court Order Dated: 7-17-19 = DENIED.

A panel composed of Vice Chief Justice Timmer, Justice Gould, Justice Lopez and Justice Beene participated in the determination of this matter.

Janet Johnson, Clerk

TO:

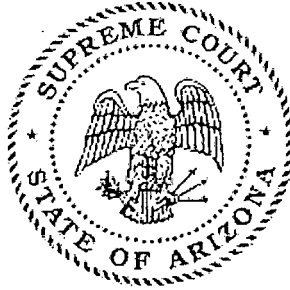
James Norman Ziegenfuss, ADOC 136479, Arizona State Prison,

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ARIZONA SUPREME COURT ORDER

FEBRUARY 14th 2018

14-18-0004



SCOTT BALES
CHIEF JUSTICE

JANET JOHNSON
CLERK OF THE COURT

Supreme Court

STATE OF ARIZONA
ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007-3231

TELEPHONE: (602) 452-3396

February 14, 2018

RE: JAMES N ZIEGENFUSS v HONS. MACKEY/WINTHROP/STATE
Arizona Supreme Court No. M-18-0004
Court of Appeals, Division One No. 1 CA-CR 17-0181
Maricopa County Superior Court No. CR2015-136002-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on February 14, 2018, in regard to the above-referenced cause:

ORDERED: Motion for Expedited Ruling on Special - Action =
DENIED.

FURTHER ORDERED: Motion to stay Proceedings in case 1 CA-CR 17-0181, CR2015136002-001 = DENIED.

FURTHER ORDERED: The Court declines to accept jurisdiction of the Petitions for Special Action.

A panel composed of Chief Justice Bales, Justice Pelander, Justice Gould and Justice Lopez participated in the determination of this matter.

Janet Johnson, Clerk

Arizona Supreme Court No. M-18-0004

TO:

James Norman Ziegenfuss, ADOC 136479, Arizona State
Prison, Douglas - Mohave

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ARIZONA SUPREME COURT ORDER

JANUARY 12TH 2018

M-18-0004

(3-H)

SUPREME COURT OF ARIZONA

JAMES NORMAN ZIEGENFUSS,	)	Arizona Supreme Court
	)	No. M-18-0004
Petitioner,)	
	)	Court of Appeals
v.	)	Division One
	)	No. 1 CA-CR 17-0181
HON. ANTHONY MACKEY, JUDGE)	
PRO-TEM, and HON. LAWRENCE F.	)	Maricopa County
WINTHROP, PRESIDING JUDGE OF THE	)	Superior Court
COURT OF APPEALS FOR THE STATE	)	No. CR2015-136002-001
OF ARIZONA, in and for Division)	
One,)	
)	
Respondent Judges,)	
)	
ATTORNEY GENERAL'S OFFICE; STATE	)	FILED 1/12/2018
OF ARIZONA,)	
	)	O R D E R
Real Parties in Interest.)	

Upon considering the Petitioner's Motion to Stay Proceedings and Expedited Rulings for Special Action,

IT IS ORDERED that the motion is denied.

DATED this 12th day of January, 2018.

/s/
Robert M. Brutinel
Duty Justice

Arizona Supreme Court No M-18-0004

Page 2 of 2

To:

James Norman Ziegenfuss, ADOC 136479, Arizona State Prison,
Douglas - Mohave Unit

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ATTACHMENT EXHIBIT 3

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ATTACHMENT

EXHIBIT 4

COURT OF APPEALS

STATE OF ARIZONA

1. COURT ORDER DATED: AUGUST 20, 2018 4-A
2. COURT ORDER DATED: JULY 27TH, 2020 4-B
3. COURT ORDER DATED: JULY 17, 2018 4-C
4. COURT ORDER DATED: JANUARY 30TH, 2018 4-D
5. COURT ORDER DATED: JANUARY 26TH, 2018 4-E

ATTACHMENT

EXHIBIT 4

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16 COURT OF APPEALS

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18 STATE OF ARIZONA

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20 AUGUST 20TH, 2018

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22 ZIEGENFUSS

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24 V.

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26 HON. MACKAY ET AL.
27 COURT ORDER
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(4-A)



AMY M. WOOD
CLERK OF THE COURT

Court of Appeals

STATE OF ARIZONA
DIVISION ONE
STATE COURTS BUILDING
1501 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007

Phone: (602) 452-6700

Fax: (602) 452-3226

August 20, 2018

Chris DeRose, Clerk
Maricopa County Superior Court
201 West Jefferson Street
Phoenix, Arizona 85003

Dear Mr. DeRose:

RE: 1 CA-SA 18-0021

ZIEGENFUSS v. HON MACKEY, et al./STATE
Maricopa County Superior Court
CR2015-1360002-001

Certified copy of ORDER declining jurisdiction of special action is included herewith in the above entitled and numbered cause.

There are no physical record items to be returned to your Court.

Any electronically filed materials will be retained by the Court of Appeals.

AMY M. WOOD, CLERK

By dtm
Deputy Clerk

Enclosures (as noted)

C:

James Norman Ziegenfuss
Joseph T Maziarz
Hon Anthony Mackey
Hon Lawrence F Winthrop



DIVISION ONE
FILED: 08/20/18
AMY M. WOOD,
CLERK
BY: DN

COURT OF APPEALS

STATE OF ARIZONA

JULY 27TH 2020

1-CA-LR-19-0615 P.R.P.C.

COURT ORDER

(4-B)

IN THE
COURT OF APPEALS

STATE OF ARIZONA

DIVISION ONE



DIVISION ONE

FILED: 7/27/20

AMY M. WOOD,

CLERK

BY: RB

STATE OF ARIZONA,

) Court of Appeals

) Division One

Respondent,

) No. 1 CA-CR 19-0615 PRPC

)

v.

) Maricopa County

) Superior Court

JAMES NORMAN ZIEGENFUSS,

) No. CR2015-136002-001

)

Petitioner.

)

)

)

ORDER REGARDING PLEADING TITLED "DENIAL OF RIGHTS UNDER COLOR OF LAW..."

The court has received petitioner's "Denial of Rights Under Color of Law ... [sic]" filed July 17, 2020. Attached to that document are two "Violation Warnings" in which petitioner makes allegations against Arizona Department of Corrections personnel. Petitioner requests that the court accept these documents for filing but does not ask the court to take any further action and does not otherwise seek any relief from the court regarding these documents. Therefore,

IT IS ORDERED accepting the documents designated above as filed.

IT IS FURTHER ORDERED the court will take no further action regarding these documents.

/s/

BENJAMIN A. ARMSTRONG, Judge Pro Tempore

COURT OF APPEALS

STATE OF ARIZONA

JULY 17th, 2018

M-18-0004

COURT ORDER

(4-C)



DIVISION ONE
FILED: 7/17/18
AMY M. WOOD,
CLERK
BY: RB



Court of Appeals

AMY M. WOOD
CLERK OF THE COURT

STATE OF ARIZONA
DIVISION ONE
STATE COURTS BUILDING
1501 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007

Phone: (602) 452-6700

Fax: (602) 452-3226

July 17, 2018

Janet Johnson, Clerk
Arizona Supreme Court
402 Arizona State Courts Building
1501 West Washington
Phoenix, Arizona 85007

Dear Ms. Johnson:

RE: ASC No. M-18-0004
COA1 No. 1 CA-CR 17-0181

STATE v. ZIEGENFUSS
Maricopa County Superior Court
No. CR2015-136002-001

The Court's MEMORANDUM DECISION was filed on June 12, 2018.

A Petition for Review was filed in the Arizona Supreme Court on July 13, 2018. The record is transmitted to your Court as follows:

X Briefs (Opening Brief) (2 each or e-Registered)

AMY M. WOOD, CLERK

By rab
Deputy Clerk

Enclosures (as noted)
cc (letter only):

Joseph T Maziarz
Janelle A McEachern
James Norman Ziegenfuss, ADOC 136479 (mailed)

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COURT OF APPEALS
STATE OF ARIZONA
JANUARY 30th, 2018

COURT ORDER

(4-D)

IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 1/30/18
AMY M. WOOD,
CLERK
BY: RB

JAMES NORMAN ZIEGENFUSS,)
) Court of Appeals
) Division One
Petitioner,) No. 1 CA-SA 18-0021
)
v.)
) Maricopa County
) Superior Court
THE HONORABLE ANTHONY MACKEY,)
Judge Pro Tem of the COURT OF)
APPEALS OF THE STATE OF ARIZONA,) No. CR2015-1360002-001
)
Respondent Judge Pro Tem,)
)
THE HONORABLE LAWRENCE WINTHROP,)
Judge of the COURT OF APPEALS OF)
THE STATE OF ARIZONA,)
)
Respondent Judge,)
)
STATE OF ARIZONA ex rel.)
ATTORNEY GENERAL'S OFFICE,)
)
Real Party in Interest.)
)

ORDER DECLINING JURISDICTION

The court, Presiding Judge Diane M. Johnsen, Judge Kent E. Cattani and Judge Jennifer M. Perkins participating, has considered the petition for special action and the motion for stay. After consideration,

IT IS ORDERED that the Court of Appeals, in the exercise of its discretion, declines to accept jurisdiction over this special action.

IT IS FURTHER ORDERED denying the motion for stay as moot.

IT IS FURTHER ORDERED vacating this Court's previous order requiring the filing and service of a response.

_____/s/_____
DIANE M. JOHNSEN
PRESIDING JUDGE

A copy of the foregoing
was sent to:

James Norman Ziegenfuss, ADOC 136479 (mailed)
Joseph T Maziarz
Hon Anthony Mackey
Hon Lawrence F Winthrop

COURT OF APPEALS

STATE OF ARIZONA

JANUARY 26TH, 2018

1-CA-SA-18-0021

COURT ORDER

(4-E).

IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 01/26/2018
AMY M. WOOD,
CLERK
BY: JT

JAMES NORMAN ZIEGENFUSS,	)	Court of Appeals
	)	Division One
Petitioner,	)	No. 1 CA-SA 18-0021
)	
v.	)	Maricopa County
	)	Superior Court
THE HONORABLE ANTHONY MACKEY,	)	No. CR2015-1360002-001
Judge Pro Tem of the COURT OF)	
APPEALS OF THE STATE OF ARIZONA,)	
)	
Respondent Judge Pro Tem,)	
)	
THE HONORABLE LAWRENCE WINTHROP,)	
Judge of the COURT OF APPEALS OF)	
THE STATE OF ARIZONA,)	
)	
Respondent Judge,)	
)	
STATE OF ARIZONA ex rel.)	
ATTORNEY GENERAL'S OFFICE,)	
)	
Real Party in Interest.	)	ORDER SETTING DATES,
	)	DIRECTING ELECTRONIC OR
	)	ALTERNATIVE SERVICE and
	)	FIXING TIME FOR RESPONSE

A petition in a special action having been filed,

IT IS ORDERED that said petition will be considered at conference, or oral argument, during the MORNING of February 21, 2018, before Department C:

Diane M Johnsen, Presiding Judge
Kent E Cattani, Judge
Jennifer M Perkins, Judge

IT IS FURTHER ORDERED that any response or objection to the relief requested in the petition, shall be filed and served within seven business days after service of the petition upon the respondent, unless the court, prior thereto, declines to accept jurisdiction without requiring a response. Unless otherwise ordered by the court, a reply to a response may be filed and served within five business days after service of the response, with such filing to be made by no later than 1:00 p.m. on the date it is due. After the time for filing

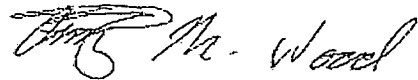
a response has expired, the parties will be notified if the court has scheduled oral argument. The parties will not receive notification if the court elects to forgo oral argument.

✓ IT IS FURTHER ORDERED that in the event a stay has been requested, Petitioner or Petitioner's counsel must contact the office of Presiding Judge Diane M Johnsen at (602) 452-6750 to arrange a time for the stay motion to be heard.

NOTICE TO RESPONDENTS: In order to avoid scheduling conflicts that might arise because of the time limitations contained in this order, Division One of the Court of Appeals will not entertain cross-petitions in this special action. In the event respondents seek affirmative relief from the order that is the subject matter of the petition for special action, respondents are directed to file a separate special action and seek consolidation with this pending matter.

Regularly updated information about the status of this case may be viewed by visiting <http://azcourts.gov/coal/Home.aspx> and clicking on "Case Status" from the menu. A summary of Division One's policies may be viewed by clicking on the "Court Policies" link on the home page menu under "About the Court".

NOTICE TO FILERS: Arizona Supreme Court Administrative Order 2012-2 requires all attorneys to utilize electronic filing via AZTurboCourt when filing in the Court of Appeals. If you are not bound by this requirement, all documents filed in a special action shall comply with Rule 4 of the Arizona Rules of Civil Appellate Procedure - Filing and Service. Nothing herein requires that the Respondent Judge be served by e-mail.

~


Amy M. Wood, Clerk

A copy of the foregoing
was sent January 26th, 2018, to:

James Norman Ziegenfuss, ADOC 136479 (mailed)
Joseph T Maziarz

The Court of Appeals, Division One offers subscription lists to receive emails regarding new opinions and informational news items. Interested persons can text "COALINFO" to 22828 to sign up for both opinions and news. Individuals wishing to receive only opinions or only news may visit the website: <http://www.azcourts.gov/coal/> and click on "subscribe".

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ATTACHMENT EXHIBIT 4.

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