

**IN RE MAESTAS, S.Ct. No. 27,348 (Filed March 5, 2002)**

**IN THE MATTER OF CHARLES MAESTAS,  
Municipal Judge, Espanola, New Mexico**

NO. 27,348

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

March 5, 2002, Filed

INQUIRY CONCERNING A JUDGE  
No 2001-09

**COUNSEL**

Peg A. Holguin, Randall D. Roybal, Albuquerque, New Mexico, for Commission

Fred C. Martinez, Albuquerque, New Mexico, for Respondent

**FORMAL REPRIMAND**

**Per Curiam.**

{1} This matter came before the Court upon recommendation of the Judicial Standards Commission to approve a plea and stipulation agreement entered into between the commission and respondent that he be suspended from judicial office for two days without pay, receive a formal reprimand, and be ordered to complete a judicial education course in ethics for judges at his own expense.

{2} The commission issued a notice of preliminary investigation to the respondent on April 6, 2001. Respondent filed a response to the notice of preliminary investigation on April 17, 2001. On June 28, 2001, the commission issued a notice of formal proceedings to the respondent. Respondent filed his response to the notice of formal proceedings on July 27, 2001. On February 5, 2002, respondent entered into a plea and stipulation agreement with the commission in which respondent stipulated to the factual and legal conclusions, and agreed to receive discipline from this Court. On February 5, 2002, the commission filed a verified petition for discipline with the Supreme Court. The stipulated factual and legal conclusions are set forth below.

{3} On or about November 23, 2000, respondent directly or indirectly solicited, commanded, requested, induced, employed or otherwise attempted to promote, facilitate, or obtain favored treatment or avoidance of due process of the law from law enforcement officers for his friend Elias Coriz.

{4} Respondent's conduct violated the following Canons of the Code of Judicial Conduct: 21-100 NMRA 1995 (judge shall uphold integrity and independence of judiciary), 21-200(A) and (B) NMRA 1991 (judge shall avoid impropriety and appearance of impropriety in all of judge's activities), 21-300(B)(2) and (B)(4) NMRA 1995 (judge shall perform duties of office impartially and diligently), and 21-500(A)(1), (A)(2), and (A)(4) NMRA 1995 of the Code of Judicial Conduct (judge shall so conduct the judge's extra-judicial activities as to minimize risk of conflict with judicial obligations).

{5} Respondent's conduct constitutes willful misconduct in office.

{6} WE HEREBY FIND that the recommended disciplinary measures for respondent's violations of the Code of Judicial Conduct are appropriate. Respondent shall comply fully with the requirements of the discipline imposed by this Court and with the Code of Judicial Conduct.

{7} NOW, THEREFORE, IT IS ORDERED that respondent hereby is disciplined as follows:

- A. Respondent shall be suspended from judicial office for two days without pay.
- B. Respondent shall be and is hereby formally reprimanded.
- C. Respondent shall attend and successfully complete the next administration of the "Ethics for Judges" course sponsored by the National Judicial College. Respondent shall bear at his own expense the tuition and all costs required to attend and complete this course, including travel, accommodations, meals, and all other expenses incurred in relation to completing this requirement. Respondent shall provide this Court and the commission with written proof of his attendance and successful completion of this course;
- D. Respondent shall abide by all terms and conditions of this order, the plea agreement, and the Code of Judicial Conduct; and
- E. The parties shall bear their own costs and expenses incurred in this matter.

**{8} IT IS SO ORDERED**

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**Chief Justice Patricio M. Serna**

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**Justice Joseph F. Baca**

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**Justice Gene E. Franchini**

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**Justice Pamela B. Minzner**

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**Justice Petra Jimenez Maes**