

BEFORE THE JUDICIAL STANDARDS COMMISSION
OF THE STATE OF NEW MEXICO

INQUIRY CONCERNING A JUDGE

Inquiry No. 2006-042

AFFIDAVIT OF MELINDA GAMBOA

1. My name is Melinda Gamboa. I am over the age of 18. I am competent to make this sworn statement, and do so freely and willingly.
2. I am a Judicial Supervisor with the Doña Ana County Magistrate Court. As a Judicial Supervisor, I supervise 10 employees in the management of court cases for the Doña Ana County Magistrate Court. My job duties include supervising the work of the clerks assigned to me, handling court case management issues, scheduling court dockets, responding to inquiries from the legal and law enforcement community and from the public, assisting with juror service and requests, and closing case files and preparing records for cases on appeal.
3. I have worked at the Doña Ana County Magistrate Court since I was a part-time employee in 1998. I have known Judge Carlos Garza since he came on the court in November of 2002.
4. When Judge Garza started in the court, he was attentive and conscientious. In the past many months, however, he has been hyperactive and paranoid, and seems unable to focus. He does not fill out all of the paperwork required of him. His behavior has become increasingly erratic and subject to mood swings. For example, one day he will be very friendly with you, the next he will be mad at you. He often disappears and cannot be found within the courthouse, including times when he is supposed to be on the bench.
5. On February 7, 2006, I was with Nicole Gonzales, then-Judicial Supervisor, and we saw that Judge Garza had what appeared to be white powder around the rim of his nose, on the left side. The substance looked almost like powdered sugar, but it was only on the rim of his nose. He was acting extremely erratic and strange that day and was jittery. For instance, he had a minor matter to handle concerning his son, but he could not figure out how to deal with it. He was panicked,