

**FILED ORIGINAL**

**IN THE SUPREME COURT  
OF THE STATE OF NEW MEXICO**

No. 29508

**IN THE MATTER OF JAMES T. LOCATELLI**  
City of Las Cruces Municipal Court

**INQUIRY CONCERNING A JUDGE**  
JSC Inquiry No. 2004-134

SUPREME COURT OF NEW MEXICO  
**FILED**

OCT 17 2006

*Locatelli for Liberman*

**PETITION FOR DISCIPLINE**

**JUDICIAL STANDARDS COMMISSION**  
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Respondent*

IN THE SUPREME COURT  
OF THE STATE OF NEW MEXICO

No. 29508

IN THE MATTER OF JAMES T. LOCATELLI  
City of Las Cruces Municipal Court

INQUIRY CONCERNING A JUDGE  
JSC Inquiry No. 2004-134

PETITION FOR DISCIPLINE

1. Petitioner Judicial Standards Commission, upon a majority vote of its Commissioners, hereby petitions the Supreme Court to sanction Respondent Hon. James T. Locatelli, City of Las Cruces Municipal Court Judge, as follows:

- A. Purging of Contempt Charges. The Commission recommends that the Supreme Court issue an order that all records in *City of Las Cruces v. Richard Jacquez*, Case No. 2004-0019378-PM, and *City of Las Cruces v. Marcia Milner*, Case No. 2004-19377-PM, be purged from the Las Cruces Municipal Court.
- B. Formal public reprimand by the Supreme Court. The reprimand shall be published in the *Bar Bulletin*.
- C. National Judicial College-Ethics for Judges Course. Respondent shall be required to take the Ethics for Judges course at the National Judicial College at his own expense.
- D. Mentorship. Respondent shall successfully complete a twelve month mentorship with a district judge concerning Respondent's misconduct and obligations imposed by the New Mexico Code of Judicial Conduct. The Judicial Standards Commission will appoint the mentor, who will be required to file written report(s) concerning the progress and results of the mentor program.

E. Assessment Of The Commission's Costs And Expenses.  
Respondent shall pay the Commission's costs and expenses in the amount to be requested by the Commission in a separate pleading and pursuant to a certified memorandum of costs.

2. Jurisdiction is invoked pursuant to the Petitioner's power to recommend judicial discipline and the Supreme Court's power to discipline judges under N.M. Const. art. VI, §32, as amended, and the Court's power of superintending control under N.M. Const. art. VI, § 3.

3. The grounds for imposing discipline against the Respondent are set forth completely in the Judicial Standards Commission's Findings of Fact, Conclusions of Law, and Recommendation for Discipline, attached hereto as Exhibit 1 and incorporated herein by reference. Following is a brief and plain statement of the adjudicated basis for the recommended sanction:

- A. Respondent improperly issued a criminal complaint on behalf of the City of Las Cruces in the matter of *City of Las Cruces v. Richard Jacquez*, Case No. 2004-0019378-PM, charging City Attorney Richard Jacquez with indirect contempt of court for his actions before the Third Judicial District Court in *City of Las Cruces v. Megan Lynn LaMotte*, CV-04-514.
- B. Respondent improperly issued a criminal complaint on behalf of the City of Las Cruces in the matter of *City of Las Cruces v. Marcia Milner*, Case No. 2004-19377-PM, charging attorney Marcia Milner with indirect contempt of court for her actions before the Third Judicial District Court in *City of Las Cruces v. Megan Lynn LaMotte*, CV-04-514.
- C. Respondent improperly failed to recuse from *City of Las Cruces v. Richard Jacquez*, Case No. 2004-19378-PM.
- D. Respondent improperly failed to recuse from *City of Marcia Milner*, Case No. 2004-19377-PM.

4. Respondent violated the following Canons of the Code of Judicial Conduct: 21-100 NMRA 1995; 21-200(A) NMRA 1995; 21-300(B)(1), (B)(2) and (B)(4) NMRA 2004 and 21-400 (A)(1) NMRA 2004.

5. Clear and convincing evidence established that Respondent committed willful misconduct in office.

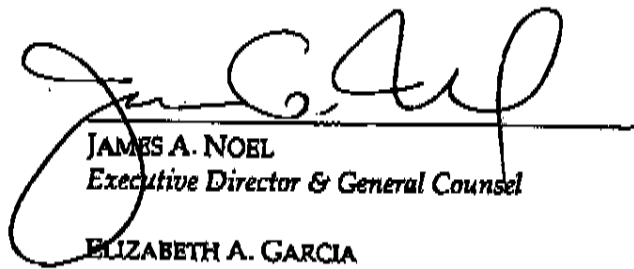
6. Pursuant to Supreme Court Rule 27-302 NMRA 1996, the Commission will file the complete trial record in this matter with the Supreme Court. The record consists of the following: title page, certified copies of all pleadings filed in the Commission's proceedings, the original exhibits admitted at trial, and the original sealed stenographic transcript of the trial proceedings.

7. Pursuant to Judicial Standards Commission Rule 36(B), the Commission will promptly file a pleading requesting detailing the specific costs being requested from Respondent, pursuant to a certified memorandum of costs.

WHEREFORE, Petitioner Judicial Standards Commission respectfully requests that the Supreme Court accept its recommendation and impose the recommended discipline upon the Respondent as set forth in paragraph 1(A) - (E) above.

Respectfully submitted,

JUDICIAL STANDARDS COMMISSION




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JAMES A. NOEL  
Executive Director & General Counsel

ELIZABETH A. GARCIA  
Staff Attorney

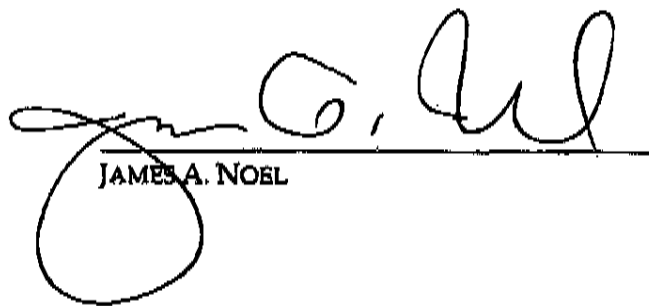
Post Office Box 27248  
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(505) 222-9353

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed via first class mail on this ~~17th~~ day of October 2006, to the following:



Jack Brant, Esq.  
Rodey, Dickason, Sloan, Akin & Robb, P.A.  
Post Office Box 1888  
Albuquerque, NM 87103




---

JAMES A. NOEL

BEFORE THE JUDICIAL STANDARDS COMMISSION  
OF THE STATE OF NEW MEXICO

INQUIRY CONCERNING A JUDGE

FILED  
OCT 17 2006  
NM JUDICIAL  
STANDARDS COMMISSION  
Inquiry No. 2004-134

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
AND RECOMMENDATION FOR DISCIPLINE

This matter came before the Judicial Standards Commission ("Commission") for hearing on August 9, 2005, pursuant to N.M. Const., art. VI, §32 (as amended); NMSA 1978, §34-10-2.1 (as amended); and the Judicial Standards Commission Rules. The hearing was held in the Commission's hearing room located at 111 Lomas Blvd. NW, Suite 220, Albuquerque, New Mexico. The following nine Commissioners participated in the hearing, deliberation, decision, and adoption of these findings, conclusions, and recommendation in this matter:

Larry Garcia  
Hon. Buddy J. Hall  
Hon. James A. Hall  
David S. Smoak, *Chairman*  
Hon. Dan Sosa, Jr. (Retired)  
Gloria Taradash, Ph.D., *Vice-Chair*  
Bob F. Turner, Esq.  
William R. Valentine, D.M.D.  
Hon. Frank K. Wilson *Trial Presiding Officer*

Commissioner Al Lama, Esq. recused from and did not participate in this matter. Commissioner Paul F. Sena was absent and did not participate in this proceeding. The Commission's Executive Director & General Counsel, James A. Noel, Esq., served as Counsel to the Commission for this proceeding.

Examiner, Elizabeth A. Garcia, Esq., gathered and presented evidence before the Commission. The Respondent, Hon. James Locatelli, appeared personally and through his attorney, John M. Brant, Esq. of Rodey, Dickason, Sloan, Akin & Robb, P.A.

The hearing was conducted on August 9, 2006. Pretrial motions were resolved prior to trial by Presiding Officer Hon. Frank K. Wilson. The Commission heard testimony from and accordingly judged the credibility of the following witnesses during the hearing:

1. Richard Jacquez, Esq.
2. Marcia Milner, Esq.
3. Henry Baca, Esq.
4. Marc Lilley, Esq.
5. Jose Arrieta, Esq.
6. Hon. James. T. Locatelli;

The Commission also considered and reviewed all exhibits admitted into evidence.

Having considered the pleadings, the testimony of the witnesses, all exhibits admitted into evidence, the arguments by the Examiner and Respondent's counsel, and the applicable law, the Commission makes the following findings of fact and conclusions of law pursuant to N.M. Const., art. VI, §32; NMSA 1978, §34-10-2.1; and Rule 36 of the Judicial Standards Commission Rules:

#### FINDING OF FACTS

1. Respondent, Hon. James Locatelli, was elected Municipal Judge of the City of Las Cruces, New Mexico in 2001 and was reelected in November 2005.
2. The Judicial Standards Commission has jurisdiction over the Respondent and the subject matter thereof.
3. The Notice of Formal Proceedings was issued and filed on June 9, 2005.
4. Respondent's Answer to Notice of Formal Proceedings was filed on July 11, 2005.

The response put each count at issue.

5. As a Municipal Court Judge in the State of New Mexico, Respondent is subject to, and his conduct on and off the bench is governed by, the New Mexico Code of Judicial Conduct, Rules 21-001 *et seq.*, NMRA.
6. In April 2004, the City of Las Cruces initiated a criminal complaint in Las Cruces Municipal Court against Megan Lynn LaMotte, styled *City of Las Cruces v. Megan Lynn LaMotte*, Case No. 2004-6733-PM.
7. Respondent was the presiding judge in *City of Las Cruces v. LaMotte*.
8. On April 14, 2004, Ms. LaMotte appeared before Respondent for an arraignment on the charge of Shoplifting under \$100, contrary to Las Cruces Municipal Code § 19-40 in *City of Las Cruces v. LaMotte*. The criminal complaint alleged that Ms. LaMotte "removed a box of Tampax pearl plastic 36 count (\$9.79) off the shelf" from Albertsons in Las Cruces, N.M., without intent to pay. Ms. LaMotte signed a Waiver of Counsel, and entered a plea of guilty. Respondent imposed a sentence of a \$500 fine, of which \$300 was suspended, and ninety (90) days in jail, of which eighty-eight (88) days were suspended.
9. Marcia J. Milner entered her appearance as attorney on behalf of Ms. LaMotte for her appeal before the Third District Court. Richard Jacquez served as the attorney representing the City of Las Cruces in the *LaMotte* appeal. Mr. Jacquez at the time of the incident at issue was an Assistant City Attorney for the City of Las Cruces; Ms. Milner is an attorney in private practice. Both Mr. Jacquez and Ms. Milner are licensed to practice law in the state of New Mexico.
10. On April 23, 2004, Ms. Milner filed a Notice of Appeal for a trial *de novo* with the Third Judicial District Court captioned *City of Las Cruces v. Megan Lynn LaMotte*,

- Case No. CV-2004-514. The case was assigned to Judge Robert E. Robles. The District Court scheduled the appeal for a trial *de novo* on August 10, 2004.
11. On August 10, 2004, Mr. Jacquez, the assistant city attorney assigned to handle the *LaMotte* appeal, made an oral motion to dismiss the appeal. Ms. Milner, who represented Ms. LaMotte on the appeal before the Third District Court, argued that Ms. LaMotte did not enter an informed agreement to plea in the Municipal Court.
  12. After hearing argument from both parties on whether Ms. LaMotte was an aggrieved party entitled to appeal the Municipal Court Action, Third Judicial District Court Judge Robert E. Robles denied the City's motion to dismiss and permitted the appeal to go forward.
  13. Ms. LaMotte then agreed to enter another plea and the District Court issued a new sentence. On August 18, 2004, the District Court entered its Judgment and Sentence for a six (6) month deferred sentence. The District Court placed Ms. LaMotte on unsupervised probation on the following conditions: (A) she attend and complete Petty Larceny Rehabilitation School, and pay any costs associated with the program; (B) she commit no similar acts and no criminal acts; and (C) she avoid all Albertson's Stores, Inc. Ms. LaMotte was ordered to pay court costs in the amount of \$35.00 to the Las Cruces Municipal Court.
  14. On August 23, 2004, the City Attorney's office forwarded a copy of the Judgment and Sentence by the Third Judicial District Court in *City of Las Cruces v. Megan Lynn LaMotte*, Case No. CV-2004-514 to Carol Marin, Judicial Services Coordinator for the Las Cruces Municipal Court.
  15. Respondent received Judge Robles' Judgment and Sentence in early September 2004. See *Answer to Notice of Preliminary Investigation* at 4.

16. On or about October 25, 2004, Respondent improperly issued a criminal complaint on behalf of the City of Las Cruces in the matter of *City of Las Cruces v. Richard Jacquez*, Case No. 2004-0019378-PM, and *City of Las Cruces v. Marcia Milner*, Case No. 2004-19377-PM, charging Assistant City Attorney Richard Jacquez and attorney Marcia Milner with indirect contempt of court for their actions before the Third Judicial District Court in *City of Las Cruces v. LaMotte*, Case No. CV-04-514.
17. Ms. Milner had never appeared before Respondent in any capacity prior to the hearing of October 25, 2006.
18. Mr. Jacquez was responsible for handling the appeal of the *LaMotte* case to the Third Judicial District Court. Prior to handling the *LaMotte* appeal, Mr. Jacquez was not involved in any lower court municipal court hearings in the *LaMotte* case.
19. Despite the fact that the October 25, 2004 hearing was noticed as a sentencing hearing, the actual purpose of Respondent scheduling a "sentencing hearing" in the *LaMotte* case was to issue the criminal contempt citations against Mr. Jacquez and Ms. Milner for their arguments before the Third Judicial District Court.
20. Ms. LaMotte was never called to the bench the day of the purported "sentencing hearing", although she was present in the courtroom when the case was called.
21. Respondent resolved to have both Mr. Jacquez and Ms. Milner present at the sentencing to answer Respondent's questions about the District Court proceeding.  
*See Answer to Notice of Preliminary Investigation.*
22. Ms. Milner received a Notice of Hearing that the *LaMotte* case would come before Respondent for sentencing. Mr. Jacquez never received a Notice of Hearing, but was called the morning of October 25, 2004 by the clerk's office of the Municipal Court and was told to be present for the *LaMotte* sentencing hearing.

23. Prior to the October 25, 2004 sentencing hearing, Respondent devoted considerable time to the "novel question of what I as an inferior judge could do if I believed my decisions were being nullified by inaction of the City Attorney." *Id.* Respondent also spent considerable time researching the difference between direct and indirect contempt. *Id.*
24. Shortly before the scheduled sentencing hearing, Respondent had "inadvertently learned . . . that Mr. Jacquez admitted in open Court that he had assumed there had been a conviction by trial in the municipal court, and had only recently discovered his error." *Id.* Moreover, "[Respondent] was told that Mr. Jacquez did not challenge Judge Robles' assumption that the defendant had not been informed of her rights, and did not challenge Ms. Milner's misstatement[s] . . ." *Id.*
25. According to Respondent, when he was told about what had supposedly happened at the appeal hearing before Judge Robles in the District Court matter:
- I admit I lost my composure and became angry. I decided to have Mr. Jacquez and Ms. Milner both charged with indirect contempt for deliberately misrepresenting procedures employed in the municipal court. I cooled down somewhat prior to the hearing, and attempted to regain my composure, but will admit that upon having the complaints served in open court I was angry and upset and let it show.
- Id.* at 8.
26. Respondent admits that he became angry over the appeal of the LaMotte case and further "that he displayed this anger at the [October 25] hearing in which the indirect contempt proceedings against Richard Jacquez and Marcia Milner were initiated." *Id.* Further, Respondent states that:

Given my upset - and, considering Ms. Milner's and Mr. Jacquez' understandable anxiety at the moment - it is possible some of what I said may have been misinterpreted. I admit to being angry, and will accept appropriate sanctions for that. I do regret letting my personal feelings affect my judicial demeanor.

*Id.* at 9.

27. The criminal complaint against Mr. Jacquez and Ms. Milner for contempt had been written prior to the October 25, 2004 hearing. Judge Locatelli gave a written copy of the criminal complaints to his clerk, who hand-delivered the complaints to Mr. Jacquez and Ms. Milner during the October 25, 2004 hearing.
28. Respondent's basis for issuing criminal contempt charges against Ms. Milner was:
- Crime: Indirect Contempt of Court, Contrary to Rule 8-119, SCRA 1986.
- On or About the 28<sup>th</sup> [sic] day of April 2004 in the City of Las Cruces, State of New Mexico, the above named defendant did file a notice of appeal from the Municipal Court to the Third Judicial District Court knowing that the Defendant had plead guilty to the charges in the Municipal Court and was not an "aggrieved party" and did not seek to first have the plea withdrawn.
29. Respondent's basis for issuing criminal contempt charges against Mr. Jacquez was:
- Crime: Indirect Contempt of Court, Contrary to Rule 8-119, SCRA 1986.
- On or about the 18<sup>th</sup> day of April 2004 in the City of Las Cruces, State of New Mexico, the above named defendant did prepare, sign and confirm a judgment and sentence in the Third Judicial District Court knowing that the Defendant was not an "aggrieved party" pursuant to NM law and that the appeal from the Municipal Court was contrary to law because the defendant plead guilty to the charges in Municipal Court.

30. Respondent did not review a copy of the tape log or the tape of the hearing before Judge Robles before Respondent issued the criminal complaint for contempt against Mr. Jacquez and Ms. Milner. *Id.*
31. Respondent had no authority to initiate criminal contempt proceedings against the litigant's counsel.
32. Respondent's decision to initiate and prosecute the criminal contempt proceedings against the two attorneys was based, at least in part, on Respondent's previously-formed opinion of the lack of professional competency of Richard Jacquez and the prior conflicts between the Municipal Court and the Office of the City Attorney.
33. Respondent's conduct demonstrated bad faith or otherwise exceeded his lawful authority. His contempt proceedings against Mr. Jacquez and Ms. Milner had no legal or factual basis. Because Respondent had no jurisdiction over Mr. Jacquez and Ms. Milner for their arguments in the *LaMotte* case before Judge Robles, he abused his contempt power, and committed gross error of law.
34. Respondent continued to preside over the criminal contempt citations against Mr. Jacquez and Ms. Milner, despite his admitted anger and mistaken presumptions about how Mr. Jacquez presented the *LaMotte* case at the District Court.
35. Respondent admits that he had not reviewed the transcript of what actually transpired before the Third Judicial District Court on Ms. LaMotte's appeal, but instead speculated on what occurred in the District Court, prior to issuing the criminal contempt complaints against Mr. Jacquez and Ms. Milner. The issuance of the criminal contempt complaints were without a factual or legal basis.

36. Respondent states that he knew he would dismiss the complaint after his review of the transcript of the hearing before Judge Robles. He reviewed the transcript on November 4, 2004.
37. Respondent, however, continued to take actions on the contempt cases even though he had made the decision to dismiss the cases.
38. Respondent subsequently scheduled a pre-trial conference in both the *Jacquez and Milner* case on November 20, 2004.
39. Respondent then vacated the pre-trial conference hearing and set both cases for trial on November 30, 2004.
40. Next, Respondent vacated both of the trial settings, and rescheduled them for January 18, 2005.
41. Respondent filed an Order of Dismissal in both the *Jacquez and Milner* contempt cases on December 8, 2004 dismissing the indirect contempt charges against Mr. Jacquez and Ms. Milner.
42. Respondent improperly failed to recuse from *City of Las Cruces v. Jacquez*, and the *City of Las Cruces v. Milner*.
43. Respondent admits that he "had created an appearance of impartiality by [his] angry pronouncements, and that he would need to recuse himself had [he] not dismissed the charges." *Id.*, p. 9. Respondent states that he "regretted this display of temper," and "letting my personal feelings affect my judicial demeanor." *Id.*, p.4.

### CONCLUSIONS OF LAW

1. The Judicial Standards Commission has jurisdiction over the parties and the subject matter under N.M. Const., art. VI, §32 (as amended), and NMSA 1978, §34-10-2.1 (as amended).
2. Respondent is a Municipal Court Judge in the State of New Mexico, and as such is subject to, and his conduct on and off the bench is governed by, the New Mexico Code of Judicial Conduct, Rules 21-001 *et seq.*
3. As alleged in COUNTS II and III, Respondent on October 25, 2004 improperly issued criminal complaints on behalf of the City of Las Cruces in the matter of *City of Las Cruces v. Richard Jacquez*, Case No. 2004-0019378-PM, and *City of Las Cruces v. Marcia Milner*, Case No. 2004-19377-PM, charging City Attorney Richard Jacquez and attorney Marcia Milner with indirect contempt of court for their actions before the Third Judicial District Court in *City of Las Cruces v. Megan Lynn LaMotte*, CV-04-514. Respondent abused the contempt power in violation of Canons 21-100 NMRA 1995; 21-200(A) NMRA 1995; 21-300(B)(2) and (B)(4) NMRA 2004 of the Code of Judicial Conduct.
4. As alleged in COUNTS VI, and VII, Respondent improperly failed to recuse from *City of Las Cruces v. Jacquez*, and *City of Las Cruces v. Milner* after his angry pronouncements, in violation of Canons 21-300(B)(1), 21-300(B)(2), 21-400(A), and 21-400(A)(1) NMRA 2004 of the Code of Judicial Conduct.
5. Canon 21-100 of the Code of Judicial Conduct requires:  
**21-100. A judge shall uphold the integrity and independence of the judiciary.**  
A judge shall participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved.

6. Canon 21-200(A) of the Code of Judicial Conduct requires:

21-200. A judge shall avoid impropriety and the appearance of impropriety in all the judge's activities.

A. Respect for the law. A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

7. Canon 21-300 (B) (1) of the Code of Judicial Conduct requires:

21-300. A judge shall perform the duties of office impartially and diligently.

B(1) Adjudicative Responsibilities. A judge shall hear and decide matters assigned to the judge except those in which disqualification is required.

8. Canon 21-300(B)(2) of the Code of Judicial Conduct requires:

21-300. A judge shall perform the duties of office impartially and diligently.

B(2) Adjudicative Responsibilities. A judge shall be faithful to the law and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor or fear of criticism.

9. Canon 21-300(B)(4) of the Code of Judicial Conduct requires:

21-300. A judge shall perform the duties of office impartially and diligently.

B(4) Adjudicative Responsibilities. A judge shall be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in the judge's official capacity, and shall require similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control.

10. Canon 21-400(A)(1) of the Code of Judicial Conduct requires:

21-400. Disqualification

A Recusal. A judge is disqualified and shall recuse himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where:

(1) the judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of disputed evidentiary facts concerning the proceeding; . . .

11. Respondent's conduct was established by clear and convincing evidence and constituted willful misconduct in office.

12. The Commission DOES NOT FIND clear and convincing evidence of the remaining allegations in COUNT I and in COUNTS IV and V, which are dismissed.

**RECOMMENDATION FOR DISCIPLINE**

Pursuant to Rules 31 and 35 of the Judicial Standards Commission Rules, the Commission recommends that the Supreme Court impose the following discipline upon the Respondent:

- A. **Purging of Contempt Charges.** The Commission recommends that the Supreme Court issue an order that all records in *City of Las Cruces v. Richard Jacquez*, Case No. 2004-0019378-PM, and *City of Las Cruces v. Marcia Milner*, Case No. 2004-19377-PM, be purged from the Las Cruces Municipal Court.
- B. **Formal public reprimand by the Supreme Court.** The reprimand shall be published in the *Bar Bulletin*.
- C. **National Judicial College-Ethics for Judges Course.** Respondent shall be required to take the Ethics for Judges course at the National Judicial College at his own expense.
- D. **Mentorship.** Respondent shall successfully complete a twelve month mentorship with a district judge concerning Respondent's misconduct and obligations imposed by the New Mexico Code of Judicial Conduct. The Judicial Standards Commission will appoint the mentor, who will be required to file written report(s) concerning the progress and results of the mentor program.
- E. **Assessment Of The Commission's Costs And Expenses.** Respondent shall pay the Commission's costs and expenses in the amount to be requested by separate pleading and pursuant to a certified memorandum of costs.

**CERTIFICATION**

Pursuant to Rule 36 of the Judicial Standards Commission Rules, I hereby certify that the above constitute the Findings of Fact, Conclusions of Law and Recommendation for Discipline of the Judicial Standards Commission.

JUDICIAL STANDARDS COMMISSION

By David S. Smock  
DAVID S. SMOCK, Chairman  
Post Office Box 27248  
Albuquerque, New Mexico 87125-7248  
(505) 222-9353

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was mailed on this  
day of October 2006, to the following:

Mailed

*Jack Brant, Esq.  
Rodey, Dickason, Sloan, Akin & Robb, P.A.  
Post Office Box 1888  
Albuquerque, NM 87103*

Hand-Delivered

*Elizabeth A. Garcia, Examiner  
Judicial Standards Commission  
P.O. Box 27248  
Albuquerque, NM 87125-7248*

  
\_\_\_\_\_  
JAMES A. NOEL  
Executive Director & General Counsel

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NM JUDICIAL STD COM

PAGE 01



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**CONFIDENTIAL  
FAX TRANSMITTAL**

**To:** New Mexico Supreme Court **Fax:** 505-827-4178  
**From:** James A. Noel **Date:** 10-17-06  
**Re:** No. 29,508 20, including coversheet

IN THE MATTER OF JAMES T.  
LOCATELLI  
City of Las Cruces Municipal Court

INQUIRY CONCERNING A JUDGE  
JSC Inquiry No. 2004-134

URGENT  FOR REVIEW  PLEASE FILE  PLEASE REPLY

PLEASE FILE THE FOLLOWING:

- PETITION FOR DISCIPLINE

ALSO, WE WOULD APPRECIATE IT IF YOU WOULD SEND US A COPY  
OF THE FIRST PAGE, INDICATING THE DATE OF FILING. THANK  
YOU.

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