

The Judicial Standards Commission of the State of New Mexico (hereinafter "Petitioner" or the "Commission"), through the undersigned counsel, now comes before this Court on a separate matter with respect to Respondent, that is Inquiry No. 2006-042, and hereby petitions this Court for an order immediately suspending the Hon. Carlos Garza, Magistrate Court Judge, Doña Ana County, New Mexico ("Respondent"), *without pay* from judicial office.

The Commission further seeks an Order from this Court mandating that Respondent comply with a Commission Rule 8 Order requiring Respondent to undergo drug screening, and for an Order to show cause why Respondent should not be held in contempt of the Commission and this Court for knowingly and willfully *evading service* of process of the Commission's Rule 8 Order requiring Respondent to undergo drug screening, and for knowingly and willfully *failing to comply* with the Commission's Rule 8 Order requiring Respondent to undergo drug screening. As grounds for this petition, Petitioner states:

1. Petitioner invokes its jurisdiction and files this Verified Petition for Immediate Suspension Without Pay pursuant to Petitioner's power to recommend the discipline of judges and the Supreme Court's power to discipline judges under N.M. Const. art. VI, §32; the Supreme Court's power of superintending control under N.M. Const. art. VI, §3; Rule 27-201(A)(4)(a) NMRA 1996 of the Rules Governing Review of the Judicial Standards Commission Proceedings; and Rule 33 of the Judicial Standards Commission Rules.

2. Respondent was a full-time Magistrate Court Judge for Doña Ana County, New Mexico, but is currently on paid suspension through November 3, 2006, pursuant to this Court's Order, based on a Commission Petition involving *five other inquiries* pending before the Commission.