

**B. Respondent's Knowing and Willful Evasion of Service of Process**

The Commission's Rule 8 Order was filed on August 17, 2006, and was hand delivered to Captain Richard Williams of the New Mexico State Police Department. Captain Williams agreed to effectuate service of process to Respondent Judge Carlos E. Garza, and to complete and return an affidavit of service. Captain Williams appeared at Respondent's home on or about 9:29 AM, Friday, August 18, 2006, to serve Respondent with the Commission's Rule 8 Order. Captain Williams knocked on the front door, and former Judge Ruben Galvan answered the door, indicating that he lived there, and that the Respondent lived there but was presently not at home. Mr. Galvan then called Respondent, and handed the telephone to Captain Williams.

Captain Williams informed Respondent that he had papers to serve on him. Respondent wanted to know what the papers were, and who they were from. Captain Williams indicated there were papers from the Judicial Standards Commission. Respondent then arranged to meet Captain Williams at the Bank of the Rio Grande, 421 N. Water Street, Las Cruces, New Mexico, to accept service of the papers (See State of New Mexico Incident Report, ORI No. NMNSP0400, Incident No. 2006-15112, dated August 18, 2006, completed and signed by Captain Richard Williams, attached hereto as Exhibit E).

After this phone conversation, but before meeting Captain Williams at the Bank of the Rio Grande, at or about 9:37 AM on Friday, August 18, 2006, Respondent called the Commission office and spoke with the Commission general counsel. Respondent indicated he was aware that the Commission had papers to serve on him, and he wanted to know what those papers were. The general counsel responded that the best thing would be to effectuate service of process and then