

Respondent's willful and knowing resistance to and obstruction of the lawful processes available to the Commission in violation of Rule 4(E) of the Commission's rules. Such conduct is a knowing and willful failure to cooperate with, obstruction of, and interference with a lawful Commission investigation, that is subject to the sanction of contempt pursuant to Supreme Court Rule 27-305(A) ("If any person willfully fails to cooperate with, obstructs or interferes with any inquiry, investigation or proceeding of the Judicial Standards Commission, counsel for the commission may apply to the Supreme Court for an order to show cause why that person not be held in contempt." Rule 27-305(A), NMRA).

4. Petitioner is involved in ongoing investigations into Respondent's conduct and alleged drug usage, as well as other matters. If necessary and appropriate after this investigation, formal proceedings may be initiated against the Respondent based on the underlying inquiries.

5. Petitioner certifies that changing Respondent's status from suspension with pay to suspension without pay is necessary pending completion of the Commission's proceedings against him. Petitioner's Certificate to this Supreme Court is attached hereto as Exhibit H. Based on the allegations contained in Inquiry 2006-042, and the allegations set forth in the Commission's prior Petition, Respondent has demonstrated a continuing disregard for proper judicial conduct. Respondent has demonstrated an extreme lack of good judgment, disrupted the operations of the Doña Ana County Magistrate Court, undermined the integrity and independence of the Doña Ana County Magistrate Court as well as the judiciary as a whole, and has demonstrated a pattern of conduct that flies in the face of proper judicial decorum.