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IN THE SUPREME COURT
OF THE STATE OF NEW MEXICO

**FAXED
ORIGINAL**

No. S-1-SC-35548

IN THE MATTER OF HON. LUIS QUINTANA
Municipal Court Judge, Corrales, New Mexico

INQUIRY CONCERNING HON. LUIS QUINTANA
Inquiry No. 2015-126

SUPREME COURT OF NEW MEXICO
FILED

FILED UNDER SEAL
PURSUANT TO 27-104(B) NMRA 2011

FEB 2 2016



**MOTION TO ACCEPT STIPULATION TO
PERMANENT RESIGNATION FROM JUDICIAL OFFICE
IN LIEU OF FURTHER DISCIPLINARY PROCEEDINGS**

JUDICIAL STANDARDS COMMISSION
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(505) 243-6718
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Counsel for Respondent

Counsel for Petitioner

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OF THE STATE OF NEW MEXICO

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MOTION TO ACCEPT STIPULATION TO
PERMANENT RESIGNATION FROM JUDICIAL OFFICE
IN LIEU OF FURTHER DISCIPLINARY PROCEEDINGS

The Judicial Standards Commission of the State of New Mexico (“the Commission”), through the undersigned counsel, hereby moves the Supreme Court for an order approving the *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* (“*Stipulation*”), attached hereto as Exhibit 1, in which Hon. Luis Quintana (“Respondent”), agrees to permanently resign effective at 5:00 p.m. on the same day this Honorable Court enters an order approving the *Stipulation* and ordering Respondent’s resignation. The Commission further requests

that the Court unseal the entire file in this matter, pursuant to Rule 27-104(B) NMRA 2011. The Commission believes this stipulation agreement best serves the interest of justice and the integrity of the New Mexico Judiciary.

1. The Commission invokes its jurisdiction pursuant to the Commission's power to recommend the discipline of judges, and the Supreme Court's power to discipline judges under New Mexico Constitution Article VI, Section 32, and the Court's power of superintending control under New Mexico Constitution Article VI, Section 3.

2. On December 22, 2015, the Commission issued an *Amended Notice of Preliminary Investigation* to Respondent in Inquiry Number 2015-126, attached hereto as **Exhibit 2**.

3. The Commission filed a *Verified Petition for Immediate Temporary Suspension* with the Supreme Court on October 6, 2015 which the Court granted on January 9, 2016.

4. The Commission entered into a *Stipulation* with the Respondent in lieu of further disciplinary proceedings, which would resolve the entire matter and which provides in pertinent part the following:

A. Respondent agrees to voluntarily permanently resign as judge of the Corrales Municipal Court, effective at 5:00 p.m. on the same day that the Supreme Court enters an order approving this *Stipulation* and ordering Respondent's resignation. Upon acceptance of this *Stipulation* by the New Mexico Supreme Court, Respondent shall effect his permanent resignation by submitting duplicate original letters of resignation addressed to the Chief Justice of the New Mexico Supreme Court and the Mayor of Corrales. Respondent shall concurrently provide a copy of the resignation letter to the Judicial Standards Commission.

B. Upon resignation, Respondent shall never again hold, become a candidate for, run for, or stand for election to any New Mexico judicial office in the future. Respondent shall never seek, accept appointment to, or serve *pro tempore* for any New Mexico judicial office in the future. New Mexico judicial office includes the posts of judge in municipal court, probate court, magistrate court, metropolitan court, district court, Court of Appeals, and justice of the Supreme Court. Respondent shall never again hold or exercise any judicial authority in the State of New Mexico, to include officiating at weddings.

6. Upon Order from this Court, the attached *Stipulation* is enforceable by the Commission before the Supreme Court.

7. It is in the best interest of justice and integrity of the New Mexico Judiciary that the Supreme Court grant this Motion.

WHEREFORE, the Commission respectfully requests this Court issue an order granting the Commission's Motion, approving the *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings*, and ordering Respondent's permanent resignation from judicial office effective immediately. The Commission also requests that this order unseal all documents filed in the Supreme Court in this case pursuant to Rule 27-104(B) NMRA 2011.

Respectfully submitted,
JUDICIAL STANDARDS COMMISSION


RANDALL D. ROYBAL
Executive Director & General Counsel

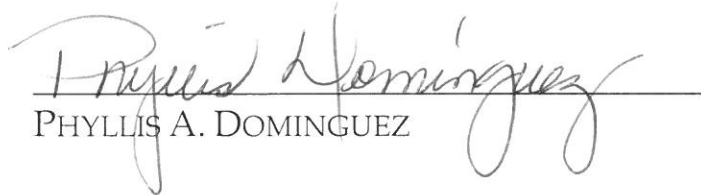
PHYLLIS A. DOMINGUEZ
Investigative Trial Counsel

Post Office Box 27248
Albuquerque, NM 87125-7248
Telephone: (505) 222-9353
Fax: (505) 222-9358

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent by facsimile and regular mail on this 2nd day of February, 2016, to the Respondent:

HON. LUIS QUINTANA
P.O. Box 196
Corrales, New Mexico 87048-0196
(505) 243-6718
Email: luqute@aolcom


PHYLLIS A. DOMINGUEZ

FILED

FEB 01 2016

**NM JUDICIAL
STANDARDS COMMISSION**

**BEFORE THE JUDICIAL STANDARDS COMMISSION
STATE OF NEW MEXICO**

INQUIRY CONCERNING HON. LUIS QUINTANA
Corrales Municipal Court

Inquiry Nos. 2015-124, 2015-
125 & 2015-126

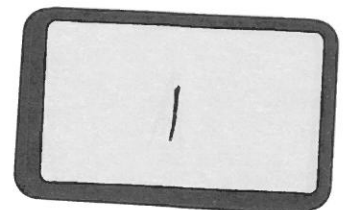
**STIPULATION TO PERMANENT RESIGNATION FROM JUDICIAL OFFICE
IN LIEU OF FURTHER DISCIPLINARY PROCEEDINGS**

THESE MATTERS are currently pending before the Judicial Standards Commission ("the Commission") pursuant to the *Notice of Preliminary Investigation* issued in Inquiry No. 2015-126 on October 6, 2015 and an *Amended Notice of Preliminary Investigation* issued in Inquiry Nos. 2011-145 and 2012-121 on December 22, 2015.

This *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* ("*Stipulation*") is entered into by and between the Judicial Standards Commission and Hon. Luis Quintana ("Respondent"). Respondent is *pro se*. The parties hereby agree and stipulate as follows:

1. Respondent agrees to permanently resign from judicial office effective at 5:00 p.m. on the same day that the Supreme Court enters an order approving this *Stipulation* and ordering Respondent's resignation. Upon acceptance of this *Stipulation* by the New Mexico Supreme Court, Respondent shall effect his permanent resignation by submitting duplicate original letters of resignation addressed to the Chief Justice of the New Mexico Supreme Court and the Mayor of Corrales. Respondent shall concurrently provide a copy of the resignation letter to the Judicial Standards Commission.

2. Upon resignation, Respondent shall never again hold, become a candidate for, run for, or stand for election to any New Mexico judicial office in the future. Respondent shall



**INQUIRY CONCERNING HON. LUIS QUINTANA Inquiry Nos. 2015-124, 2015-125 &
Stipulation to Permanent Resignation from Judicial Office 2015-126
In Lieu of Further Disciplinary Proceedings
Page 2**

never seek, accept appointment to, or serve *pro tempore* for any New Mexico judicial office in the future. New Mexico judicial office includes the posts of judge in municipal court, probate court, magistrate court, metropolitan court, district court, Court of Appeals, and justice of the Supreme Court. Respondent shall never again hold or exercise any judicial authority in the State of New Mexico, to include officiating at weddings.

3. The Commission will file under seal with the New Mexico Supreme Court pursuant to Rule 27-104(B) NMRA 2011 a *Motion to Accept Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* ("*Motion*"), attaching a copy of the *Stipulation* and a copy of the *Notice of Preliminary Investigation* and *Amended Notice of Preliminary Investigation* issued in Inquiry Nos. 2015-124, 2015-125 and 2015-126 that were filed on October 6, 2015 and December 22, 2015 respectively.

4. Upon granting the *Motion*, and pursuant to Rule 27-104(B), the Commission will request that the file in this matter be unsealed.

5. Upon execution of this *Stipulation* and acceptance by the Supreme Court, the Commission will abate and close all pending matters before the Commission (Inquiry Nos. 2015-124, 2015-125 & 2015-126).

6. This *Stipulation* is specifically enforceable by the Commission before the Supreme Court.

7. This *Stipulation* is not enforceable unless fully executed by all parties.

8. Respondent acknowledges that upon execution of this *Stipulation*, Respondent gives up any and all motions, defenses, objections or requests that the Respondent has made or

raised, or could assert hereafter in or concerning the Judicial Standards Commission proceedings.

9. The Commission and Respondent shall take all actions necessary to carry out and fulfill the terms and conditions of this *Stipulation*.

10. If Respondent violates any terms or provisions of this executed *Stipulation*, Respondent agrees that all facts alleged in both *Notices of Preliminary Investigation* issued in Inquiry Nos. 2015-124, 2015-125 and 2015-126 and which were not admitted to in this *Stipulation*, shall be deemed admitted by the Respondent, will be used against Respondent in future proceedings before the Commission and the Supreme Court, and shall constitute obstruction of Commission business and contempt.

11. The terms and conditions contained in this *Stipulation* are mutually acceptable to and agreed upon by all parties.

12. All parties have read and understand this *Stipulation*, have had the opportunity to discuss it with and be advised by legal counsel, and hereby freely and voluntarily enter into this *Stipulation* free of any threats, and free of any promises not contained herein.

RESPONDENT'S REVIEW & APPROVAL

I have read and understand this *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* ("*Stipulation*"). I have had the opportunity to discuss this matter and my rights with a lawyer. I understand that by entering into this *Stipulation*, I will be giving up my rights to a formal hearing on the merits and to confront, cross-examine and compel the attendance of witnesses.

I know, understand and agree that the provisions of this *Stipulation* are material to the Commission's deliberations and ultimate acceptance of it. I also understand and agree that by

INQUIRY CONCERNING HON. LUIS QUINTANA Inquiry Nos. 2015-124, 2015-125 &
Stipulation to Permanent Resignation from Judicial Office 2015-126
In Lieu of Further Disciplinary Proceedings
Page 4


entering into this *Stipulation*, I am agreeing to never again hold judicial office or exercise judicial authority as defined in this agreement under any circumstances, and that if I do hold any judicial office or exercise judicial authority at any point in the future, I will be in violation of this *Stipulation*, and I could be held in contempt of the Judicial Standards Commission and the New Mexico Supreme Court. I further understand that if I violate any provision of this *Stipulation* in any other manner, I agree, acknowledge, and accept that all allegations lodged against me in this matter are admitted by me as fact, and that the Commission shall re-initiate all matters pending before the Supreme Court and/or the Commission at the time this *Stipulation* was executed.



HON. LUIS QUINTANA
Respondent Dated: 25 Jan 16

EXAMINER'S REVIEW & APPROVAL

I have reviewed this *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* and find that it is appropriate and consistent with the best interests of justice. I hereby recommend that the Judicial Standards Commission accept and approve this *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings*.



PHYLLIS A. DOMINGUEZ, ESQ.
Examiner Dated: 02/01/16

JUDICIAL STANDARDS COMMISSION REVIEW & APPROVAL

The Commission has reviewed this *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings*. Upon a majority vote of its members, the Commission hereby accepts, approves, and enters into this *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings*.



JOYCE BUSTOS
Chair

Dated: 2/1/14



RANDALL D. ROYBAL
Executive Director & General Counsel

Dated: 2/1/14



STATE OF NEW MEXICO
JUDICIAL STANDARDS COMMISSION

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RANDALL D. ROYBAL
Executive Director & General Counsel

PHYLLIS A. DOMINGUEZ
Investigative Trial Counsel

DEBORAH BORIO
Investigative Trial Counsel

December 22, 2015

CONFIDENTIAL
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FILED

DEC 22 2015

NM JUDICIAL
STANDARDS COMMISSION

A handwritten signature in black ink, appearing to be "JRM", written over the stamp area.

Hon. Luis Quintana
Corrales Municipal Court
4324 Corrales Rd.
Corrales, New Mexico 87048

Re: *Amended Notice of Preliminary Investigation*
Inquiry Nos. 2015-124, 2015-125 & 2015-126

Dear Judge Quintana:

The above-referenced matter came before the Judicial Standards Commission on either a verified complaint or the Commission's own motion. You were disbarred on May 11, 2015 by order of the New Mexico Supreme Court for multiple violations of the Rules of Professional Conduct which happened prior to you becoming a judge and while you served as a judge.

As part of a preliminary investigation pursuant to Rule 14(F) of the Judicial Standards Commission Rules (NMRA 2010), the Commission requires that you provide a written explanation as to the matter(s) discussed below.

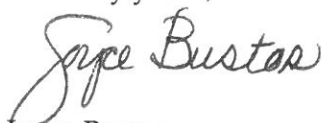
1. It has been alleged that while serving as a municipal court judge you knowingly made a false statement of material fact in connection with a Disciplinary Board matter regarding placement of funds in a trust account.
2. It has been alleged that while serving as a municipal court judge you failed to give full cooperation and assistance to Disciplinary Board counsel by failing to comply with rules or orders of the Disciplinary Board.
3. It has been alleged that you failed to comply with the Supreme Court's order dated March 23, 2015 to file a timely response to the Disciplinary Board's recommendation.
4. It has been alleged that you misappropriated a client's Workers' Compensation settlement funds and converted those funds for use other than to benefit the client, and have failed to make full restitution to the client as ordered.



5. It has been alleged that you failed to cooperate and comply with the rules, requirements and procedures of the New Mexico Judicial Standards Commission when you failed to submit a direct response to the Commission regarding the Commission's *Notice of Preliminary Investigation* filed on October 6, 2015. You complied with the Supreme Court's order and responded to the *Petition for Immediate Temporary Suspension* on November 6, 2015. However, a *Notice of Preliminary Investigation* was sent to you, under separate cover from the *Petition*, which you received by certified mail on October 8, 2015, and you did not respond within twenty-one (21) days as required.

Please provide the Commission with an explanation of these incidences and the factual and legal bases for your conduct. Your response to this letter must be submitted in writing and must include an explanation and disclosure of all pertinent facts, including any relevant documents regarding the matters outlined herein. The Commission must receive your response within twenty-one (21) days of your receipt of this letter.

Sincerely yours,



Joyce Bustos
Chair

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 22nd day of December 2015, by certified mail, return receipt requested to:

Hon. Luis Quintana
Corrales Municipal Court
4324 Corrales Rd.
Corrales, New Mexico 87048



SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION