


Joey D. Moya

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

2 **December 31, 2018**

3 **NO. S-1-SC-37354**

4 **INQUIRY CONCERNING A JUDGE**
5 **JSC Inquiry No. 2017-168 & 2018-001**

6
7 **IN THE MATTER OF**
8 **HON. SAMANTHA MADRID**
9 **Magistrate Court, County of**
10 **Dona Ana, Las Cruces New Mexico**

11 **ORDER AND PUBLIC CENSURE**

12 WHEREAS, this matter came before us on a petition to accept the stipulated
13 agreement and consent to discipline between the Judicial Standards Commission
14 and Respondent, Hon. Samantha Madrid;

15 WHEREAS, regarding consolidated Inquiry Numbers 2017-168 and 2018-
16 001, Respondent admits that she committed the following acts:

17 (1) On November 20, 2017, Respondent failed to be patient, dignified and
18 courteous to an alleged victim of domestic violence when Respondent refused to
19 allow an emergency bathroom break for the alleged victim who had started her
20 menses just prior to resuming her testimony;

21 (2) On November 20, 2017, Respondent failed to be patient, dignified and
22 courteous to Assistant District Attorney Cassandra Brulotte when Respondent
23 ignored Ms. Brulotte's requests to approach the bench in order to alert Respondent

1 to the alleged victim's need for an emergency bathroom break. Ms. Brulotte
2 approached the bench without permission to inform Respondent that the alleged
3 victim started her menses and needed an emergency bathroom break, which
4 Respondent denied;

5 (3) On November 20, 2017, Respondent failed to maintain order and
6 decorum in the courtroom when Respondent failed to excuse the jury after the
7 alleged victim's testimony and allowed them to observe the removal of the witness
8 chair, which was stained with the alleged victim's menstrual blood, and allowed
9 them to wait in the courtroom until the witness chair was replaced;

10 (4) On or about November 20, 2017, Respondent failed to comply with
11 the law when, without good cause, Respondent kept and read the jurors' notes in
12 the matter of *State of New Mexico v. George Daniel, Diaz*, Case No. M-15-VM-
13 201600030;

14 (5) On December 18, 2017, Respondent prepared a witness statement for
15 Court Interpreter Olga Galindo which Ms. Galindo reviewed and signed. The
16 statement detailed the events concerning the request for an emergency bathroom
17 break which Ms. Galindo witnessed, during the trial in the matter of *State of New*
18 *Mexico v. George Daniel Diaz*, Case No. M-15-VM-201600030. Respondent did
19 not tell Ms. Galindo the purpose or intended use of the statement. Ms. Galindo
20 specifically asked Respondent to tell her if Respondent was going to disclose the

1 statement, to which Respondent agreed she would. Respondent disclosed the
2 statement, but did not inform Ms. Galindo that she had done so; and

3 (6) Respondent admits that she violated Rules 21-101, 21-102, 21-
4 205(A) and 21-208(B) NMRA 2012 of the Code of Judicial Conduct; and

5 WHEREAS, in light of the foregoing, and the Court accepting the
6 stipulation of the parties and being sufficiently advised, Chief Justice Judith K.
7 Nakamura, Justice Petra Jimenez Maes, Justice Charles W. Daniels, and Justice
8 Barbara J. Vigil concurring;

9 NOW, THEREFORE, IT IS ORDERED that the petition is GRANTED and
10 this PUBLIC CENSURE is issued to Respondent, Hon. Samantha Madrid; and

11 IT IS FURTHER ORDER that this matter is UNSEALED under Rule 27-
12 104(B) NMRA.

13 IT IS SO ORDERED.



WITNESS, the Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 31st day of December, 2018.

Joey D. Moya, Chief Clerk of the Supreme Court of the State of New Mexico

14 I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Joey D. Moya
Chief Clerk of the Supreme Court
of the State of New Mexico