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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

May 14, 2010

RECEIVED

NO. 32,334

MAY 14 2010

INQUIRY CONCERNING A JUDGE
NOS. 2010-035 thru 2010-055

NM JUDICIAL
STANDARDS COMMISSION

IN THE MATTER OF VICTORIA J. GRANT,
Metropolitan Court Judge, Bernalillo County, New Mexico

ORDER

WHEREAS, on April 16, 2010, petitioner, Judicial Standards Commission, filed a Rule 27-201(A)(4) NMRA petition for immediate temporary suspension of respondent, Bernalillo County Metropolitan Court Judge Victoria Grant, from judicial office prior to any evidentiary hearing before the Commission and before any findings, conclusions, and recommendations had been made on the unproven allegations, and, accordingly, filed its petition and supporting documents under seal as required by Rule 27-104(B)(NMRA and in recognition of the confidentiality mandates in Judicial Standards Commission proceedings required by Article VI, Section 32, of the New Mexico Constitution;

WHEREAS, on April 30, 2010, this Court accepted a joint stipulation by the Commission and respondent to immediate temporary suspension from judicial office pending completion of the Commission's proceedings,

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2 in lieu of any ruling by the Court on any grounds for suspension;

3 WHEREAS, this Court subsequently scheduled oral argument on
4 May 17, 2010, on respondent's objection to this Court's proposed
5 unsealing of the materials that previously had been filed under seal by the
6 parties;
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9 WHEREAS, the parties filed on May 14, 2010, a motion to accept a
10 joint stipulation between the Commission and respondent to respondent's
11 permanent retirement from judicial office effective May 17, 2010, in lieu
12 of further disciplinary proceedings, which would constitute a complete
13 settlement of all pending issues in this case and which would provide for
14 permanent retirement of respondent from her Bernalillo County
15 Metropolitan Court position, for the abatement of further proceedings
16 before the Commission, and for the withdrawal of respondent's objection
17 to this Court's unsealing the materials previously submitted to this Court
18 under seal;
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23 WHEREAS, it appears to the Court that the proposed settlement is
24 in the public interest in that it immediately provides for permanent
25 removal from judicial office, which is the ultimate sanction that could
26 have been imposed in the future following trial before the Commission
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2 and review by this Court to determine whether the charges had been
3 substantiated by sufficient evidence, and, in that the primary purpose of
4 the Judicial Standards Commission process is to correct or prevent
5 inappropriate judicial conduct and protect the public, rather than to
6 impose criminal or civil punishment, and the Court being sufficiently
7 advised, Chief Justice Charles W. Daniels, Justice Patricio M. Serna,
8 Justice Petra Jimenez Maes, and Justice Edward L. Chávez concurring,
9 Justice Richard C. Bosson not participating;

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13 NOW, THEREFORE, IT IS ORDERED that the motion to accept
14 stipulation to permanent retirement from judicial office effective at the
15 close of business on Monday, May 17, 2010, in lieu of further proceedings
16 hereby is GRANTED;

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19 IT IS FURTHER ORDERED that all materials filed in this Court in
20 this matter shall be unsealed immediately and shall become matters of
21 public record; and

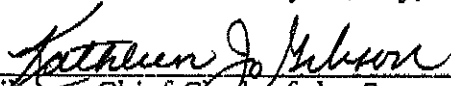
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23 IT IS FURTHER ORDERED that the oral argument set on Monday,
24 May 17, 2010, at 11:00 a.m. on the issue of unsealing the records, hereby
25 is vacated as moot.

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27 IT IS SO ORDERED.
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WITNESS, Honorable Charles W. Daniels, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 14th day of May, 2010.

(S E A L)



Kathleen Jo Gibson, Chief Clerk of the Supreme Court of the State of New Mexico