

FAXED ORIGINAL

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

No. 30,316

IN THE MATTER OF HON. PHILIP J. ROMERO
Pro Tempore Judge

SUPREME COURT OF NEW MEXICO
FILED

INQUIRY CONCERNING HON. PHILIP J. ROMERO
Inquiry Nos. 2014-063 and 2014-075

FEB - 2 2015



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

**PETITION TO ACCEPT STIPULATION TO PERMANENT
RETIREMENT FROM JUDICIAL OFFICE IN LIEU OF FURTHER
DISCIPLINARY PROCEEDINGS**

The Judicial Standards Commission of the State of New Mexico ("Petitioner" or "Commission"), through the undersigned counsel, hereby petitions the Supreme Court for an order approving the attached *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* ("*Stipulation*"), attached hereto as Exhibit 1, in which Respondent, Hon. Philip J. Romero, consents to make his retirement from

judicial office permanent. The Commission further requests, upon Respondent's consent, that the Court permanently bar Respondent from judicial office, ordering that Respondent shall never again hold, become a candidate for, run for, or stand for election to any New Mexico judicial office in the future and that he shall never seek, accept appointment to, or serve *pro tempore* for any New Mexico judicial office in the future, or exercise any judicial authority in the State of New Mexico, to include officiating at weddings. In addition, the Commission requests the Court unseal the file in this matter, pursuant to Rule 27-104(B) NMRA 2011.

1. Petitioner invokes its jurisdiction pursuant to Petitioner's power to recommend the discipline of judges, and the Supreme Court's power to discipline judges under N.M. Const. Article VI, Section 32; the Court's power of superintending control under N.M. Const. Article VI, Section 3; and, Rule 38 of the Judicial Standards Commission's Rules.

2. On April 11, 2014, the Commission issued a *Notice of Preliminary Investigation* to Respondent in Inquiry Number 2014-063. (See Exhibit 2.)

3. On April 15, 2014, Respondent filed his response to the *Notice of Preliminary Investigation*. (See Exhibit 3.)
4. On June 2, 2014 the Commission issued a *Notice of Preliminary Investigation* to Respondent in a second and consolidated matter, Inquiry Numbers 2014-063 and 2014-075. (See Exhibit 4.)
5. On June 5, 2014, Respondent filed his response to the *Notice of Preliminary Investigation* in the consolidated matter. (See Exhibit 5.)
6. On August 14, 2014, the Commission issued a *Notice of Formal Proceedings* in Inquiry Numbers 2014-063 and 2014-075. (See Exhibit 6.)
7. On August 19, 2014, the Commission received Respondent's unverified response to the *Notice of Formal Proceedings*. (See Exhibit 7.)
8. On November 19, 2014, Respondent filed the *Verification* to his response to the *Notice of Formal Proceedings*. (See Exhibit 8.)
9. Following a vote of the Commissioners, the Commission entered into a *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* ("Stipulation") with the Respondent on

January 30, 2015 (See Exhibit 1), which provides in pertinent part the following:

A. Respondent agrees to permanently retire as a *pro tempore* judge effective at 5:00 p.m. on the same day that the Supreme Court enters an order approving the *Stipulation* and ordering Respondent's permanent retirement. Upon acceptance of this *Stipulation* by the New Mexico Supreme Court, Respondent shall effect his permanent retirement by submitting duplicate original letters of retirement addressed to the Chief Justice of the New Mexico Supreme Court and to the Director, Administrative Office of the Courts, with a copy to the Judicial Standards Commission.

B. Upon retirement, 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.

C. Respondent admits to the following conduct:

(1) On or between about March 22, 2014 and April 3, 2014, Respondent publicly endorsed

candidates on Facebook while he was designated as a *pro tempore* judge;

(2) On or about April 14, 2014, Respondent informed the Judicial Standards Commission in writing that he would no longer endorse candidates on Facebook, which statement was untrue and which Respondent knew to be untrue; and,

(3) On or between about April 28, 2014 and May 2, 2014, while Respondent was designated as a *pro tempore* judge, Respondent continued to publicly endorse candidates and post their campaign materials on Facebook despite having told the Judicial Standards Commission that he would no longer do so.

D. Respondent admits that he violated the following Code of Judicial Conduct rules: 21-101, 21-102, 21-103, 21-216(A), and 21-401(C)(2)(a) NMRA 2012.

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

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

WHEREFORE, Petitioner respectfully requests this Court issue an order granting the Commission's Petition, approving the *Stipulation to*

Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings, and ordering that Respondent's retirement from judicial office is permanent and that he is barred from ever again holding, becoming a candidate for, running for, or standing for election to any New Mexico judicial office in the future and that he shall never seek, accept appointment to, or serve *pro tempore* for any New Mexico judicial office in the future, or exercise any judicial authority in the State of New Mexico, to include officiating at weddings. Petitioner also requests that the Court's 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

DEBORAH BORIO

Investigative Trial Counsel

Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was sent by U.S. mail
on the 2^d day of February, 2015, to the following:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, New Mexico 87701*



DEBORAH BORIO
Investigative Trial Counsel

FILED

JAN 30 2015

NM JUDICIAL
STANDARDS COMMISSION



BEFORE THE JUDICIAL STANDARDS COMMISSION
STATE OF NEW MEXICO

INQUIRY CONCERNING HON. PHILIP J. ROMERO
Pro Tempore Judge

Inquiry Nos. 2014-063 & 2014-075

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

THIS MATTER is currently pending before the Judicial Standards Commission ("the Commission") pursuant to the Notice of Preliminary Investigation issued in Inquiry No. 2013-063 on April 11, 2014 (*see Exhibit A*); the Notice of Preliminary Investigation issued in consolidated Inquiry Nos. 2013-063 and 2014-075 on June 2, 2014 (*see Exhibit B*); and the Notice of Formal Proceedings issued in consolidated Inquiry Nos. 2013-063 and 2014-075 on August 14, 2014 (*see Exhibit C*).

This Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings ("Stipulation") is entered into by and between the Judicial Standards Commission and Hon. Philip J. Romero ("Respondent"). Respondent is proceeding *pro se*. The parties hereby enter into the following Stipulation:

1. Respondent admits to the following:
 - a. On or between about March 22, 2014 and April 3, 2014, Respondent publicly endorsed candidates on Facebook while he was designated as a *pro tempore* judge.
 - b. On or about April 14, 2014, Respondent informed the Judicial Standards Commission in writing that he would no longer endorse candidates on Facebook, which statement was untrue and which Respondent knew to be untrue.
 - c. On or between about April 28, 2014 and May 2, 2014, while Respondent was designated as a *pro tempore* judge, Respondent continued to publicly endorse

Exhibit

1

candidates and post their campaign materials on Facebook despite having told the Judicial Standards Commission that he would no longer do so.

2. Respondent admits that he violated the Code of Judicial Conduct Rules 21-101, 21-102, 21-103, 21-216(A), and 21-401(C)(2)(a) NMRA 2012.

3. Respondent agrees to permanently retire as a *pro tempore* judge effective at 5:00 p.m. on the same day that the Supreme Court enters an order approving this Stipulation and ordering Respondent's retirement. Upon acceptance of this Stipulation by the New Mexico Supreme Court, Respondent shall effect his permanent retirement by submitting duplicate original letters of retirement addressed to the Chief Justice of the New Mexico Supreme Court and to the Director, Administrative Office of the Courts, with a copy to the Judicial Standards Commission.

4. Upon retirement, 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.

5. The Commission will file under seal with the New Mexico Supreme Court, pursuant to Rule 27-104(B) NMRA 2011, a *Petition to Accept Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* ("Petition"), attaching a copy of this Stipulation, copies of the Notices of Preliminary Investigation issued in Inquiry Nos. 2014-063 and 2014-075, a copy of the Notice of Formal Proceedings in Inquiry Nos. 2014-063 and 2014-

075, along with Respondent's responses to the above-noted pleadings, which is required by the Supreme Court.

6. Upon granting the Petition, pursuant to the Supreme Court Rules, the matter will be unsealed.

7. Upon execution of this Stipulation and acceptance by the Supreme Court, the Commission will abate the proceedings and close this consolidated matter pending against the Respondent before the Commission (Inquiry Nos. 2014-063 and 2014-075).

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

9. 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.

10. This document is not enforceable unless fully executed by all parties.

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

12. The Commission and Respondent will bear their own costs and expenses in this matter.

13. Respondent shall not make any misrepresentations to the media or in other public forums concerning these Inquiries, the facts and circumstances of Respondent's Stipulation, or the Commission's proceedings.

14. **Non-Compliance and Breach.** If Respondent violates any terms or provisions of this executed Stipulation, Respondent agrees that all facts alleged in the Notice of Formal

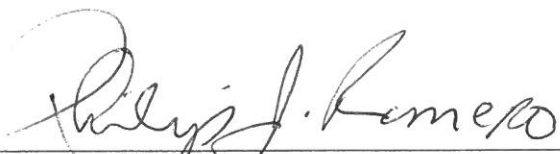
Proceedings issued in Inquiry Nos. 2014-063 and 2014-075, shall be deemed admitted by the Respondent, will be used against Respondent in future proceedings before the Commission and the Supreme Court, and shall constitute obstruction of Commission business and contempt.

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

16. 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 Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings*. I have had the opportunity to discuss this matter and my rights with a lawyer. I acknowledge that the enumerated facts and conduct, if proven, constitute willful misconduct in office, one or more violations of the New Mexico Code of Judicial Conduct, and provide sufficient basis for the New Mexico Supreme Court to impose discipline against me pursuant to Article VI, Section 32 of the New Mexico Constitution.



HON. PHILIP J. ROMERO
Respondent

Dated: 1-29-15

EXAMINER'S REVIEW & APPROVAL

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



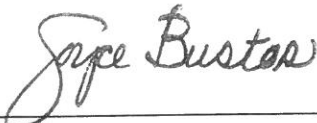
DEBORAH BORIO, ESQ.

Dated: 1/29/2015

Examiner

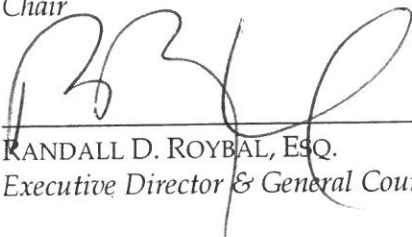
JUDICIAL STANDARDS COMMISSION REVIEW & APPROVAL

The Commission has reviewed this *Stipulation to Permanent Retirement from Judicial Office in Lieu of Further Disciplinary Proceedings* and finds that it is in the best interest of justice and hereby accepts and approves this *Stipulation*.



JOYCE BUSTOS
Chair

Dated: 1/30/15



RANDALL D. ROYBAL, ESQ.
Executive Director & General Counsel

Dated: 1/30/15



STATE OF NEW MEXICO
JUDICIAL STANDARDS COMMISSION

POST OFFICE BOX 27248
ALBUQUERQUE, NEW MEXICO 87125-7248
(505) 222-9353
WWW.NMJSC.ORG

RANDALL D. ROYBAL
Executive Director & General Counsel

PHYLLIS A. DOMINGUEZ
Investigative Trial Counsel

DEBORAH BORIO
Investigative Trial Counsel

April 11, 2014

CONFIDENTIAL
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FILED

APR 11 2014

NM JUDICIAL
STANDARDS COMMISSION

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

Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701

Re: Inquiry No. 2014-063

Dear Judge Romero:

The above-referenced matter came before the Judicial Standards Commission on either a verified complaint or the Commission's own motion. 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 discussed below.

It has been alleged that you are publicly endorsing candidates on Facebook.

Please provide the Commission with an explanation of these incidents 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,

A handwritten signature in black ink, appearing to be "Joyce E. Bustos".
Joyce E. Bustos
Chair

Exhibit
A

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 11th day of April, 2014, by certified mail, return receipt requested to:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701*



SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION



STATE OF NEW MEXICO
JUDICIAL STANDARDS COMMISSION

POST OFFICE BOX 27248
ALBUQUERQUE, NEW MEXICO 87125-7248
(505) 222-9353
WWW.NMJSC.ORG

RANDALL D. ROYBAL
Executive Director & General Counsel

PHYLLIS A. DOMINGUEZ
Investigative Trial Counsel

DEBORAH BORIO
Investigative Trial Counsel

June 2, 2014

CONFIDENTIAL
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FILED

JUN 02 2014

**NM JUDICIAL
STANDARDS COMMISSION**

Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701

Re: Inquiry Nos. 2014-063 & 2014-075

Dear Judge Romero:

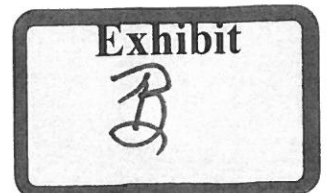
The above-referenced matter came before the Judicial Standards Commission on either a verified complaint or the Commission's own motion. As part of a preliminary investigation pursuant to Rule 14(F) of the Judicial Standards Commission Rules (NMRA 2010), the Commission requires that you provide a written explanation as to the matter discussed below. Specifically, it has been alleged that:

You are publicly endorsing candidates on Facebook and posting candidates' campaign materials on your Facebook pages, and have continued to do so after you told the Commission in your response to Inquiry No. 2014-063 that you would no longer do so. Specifically, in your April 14, 2014 response to the Commission you stated: "From here on out, I will not post candidates on facebook."

Please provide the Commission with an explanation of these incidents 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 E. Bustos
Chair



CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 2nd day of June, 2014, by certified mail, return receipt requested to:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701*



SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION

FILED

AUG 14 2014

BEFORE THE JUDICIAL STANDARDS COMMISSION
OF THE STATE OF NEW MEXICO

**NM JUDICIAL
STANDARDS COMMISSION**

INQUIRY CONCERNING HON. PHILIP J. ROMERO
Pro Tempore Judge

Inquiry Nos. 2014-063 & 2014-075

NOTICE OF FORMAL PROCEEDINGS

Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701

YOU ARE HEREBY NOTIFIED that the Judicial Standards Commission, pursuant to Rule 15 NMRA 2010 of the Judicial Standards Commission Rules, has instituted formal proceedings on the allegations set forth below.

COUNT I

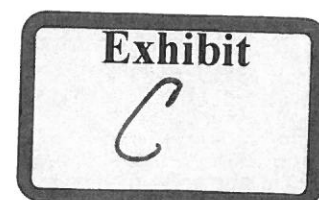
On or between about March 22, 2014 and April 3, 2014, you publicly endorsed candidates on Facebook while you were designated as a *pro tempore* judge.

Such conduct violates Rules 21-101, 21-102, 21-103, 21-401(C)(2)(a) NMRA 2012, and constitutes willful misconduct in office.

COUNT II

On or about April 14, 2014, you informed the Judicial Standards Commission in writing that you would no longer endorse candidates on Facebook, which statement was untrue and which you knew to be untrue.

Such conduct violates Rules 21-101, 21-102, and 21-216(A) NMRA 2012, and constitutes willful misconduct in office.



COUNT III

On or between about April 28, 2014 and May 2, 2014, while you were designated as a *pro tempore* judge, you continued to publicly endorse candidates and post their campaign materials on Facebook despite having told the Judicial Standards Commission that you would no longer do so.

Such conduct violates Rules 21-101, 21-102, 21-103, 21-216(A), and 21-401(C)(2)(a) NMRA 2012, and constitutes willful misconduct in office.

PLEASE BE ADVISED that in accordance with Rule 16 of the Judicial Standards Commission Rules, you shall file a written answer to this notice within twenty-one (21) days of its service upon you. Your answer shall be filed with:

Judicial Standards Commission
P.O. Box 27248
Albuquerque, New Mexico 87125-7248

Your answer should be legible and your signature must be verified.

Article VI, § 32 of the New Mexico Constitution provides that all papers filed with and proceedings before the Judicial Standards Commission are confidential, except that any record filed by the Commission in the New Mexico Supreme Court continues privileged but, upon its filing, loses its confidential character, and a writing which was privileged prior to filing with the Commission or its masters does not lose its privilege by the filing.

JUDICIAL STANDARDS COMMISSION

By: Joyce Bustos
Joyce Bustos, Chair
Post Office Box 27248
Albuquerque, NM 87125-7248

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent via certified mail, return receipt requested on this 14th day of August, 2014, to the following:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701*


SHARIESSE T. MCCANNON
Clerk of the Commission



STATE OF NEW MEXICO
JUDICIAL STANDARDS COMMISSION

POST OFFICE BOX 27248
ALBUQUERQUE, NEW MEXICO 87125-7248
(505) 222-9353
WWW.NMJSC.ORG

RANDALL D. ROYBAL
Executive Director & General Counsel

PHYLLIS A. DOMINGUEZ
Investigative Trial Counsel

DEBORAH BORIO
Investigative Trial Counsel

April 11, 2014

CONFIDENTIAL
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FILED

APR 11 2014

NM JUDICIAL
STANDARDS COMMISSION

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

Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701

Re: Inquiry No. 2014-063

Dear Judge Romero:

The above-referenced matter came before the Judicial Standards Commission on either a verified complaint or the Commission's own motion. 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 discussed below.

It has been alleged that you are publicly endorsing candidates on Facebook.

Please provide the Commission with an explanation of these incidents 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,

A handwritten signature in black ink, reading "Joyce E. Bustos".

Joyce E. Bustos
Chair



CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 11th day of April, 2014, by certified mail, return receipt requested to:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701*



SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION

APR 15 2014

NM JUDICIAL

STANDARDS COMMISSION

State of New Mexico
Judicial Standards Commission

RECEIVED

APR 15 2014

NM JUDICIAL

STANDARDS COMMISSION

Att: Joyce E. Bustos

Greetings to All:

Pursuant to, Enquiry # 2014-063.

I, Admitt That I have endorsed
Judicial Candidate's on face book,
And also publically. One Candidate
for District Judge, I have signs on
my property & vehicles.

The candidate, who hopefully will
fullfill my retired postion for
MAGISTRATE Judge in the primary,
I have posted his signs on facebook.
I retired almost one-year ago.,
May 1st 2013, after serving 16 yrs
And 4 months.

If I have done wrong, I take

Exhibit
3

full responsibility, The candidates have not, in anyway, in my opinion, have they violated any rule. I do this in my own free will as an experienced office holder for over 30 years.

From here on out, I will not post my candidates on facebook.

Thank you for your inquiry and please, let me know how I can continue to serve.

Philip J. Roman

505-429-0960



STATE OF NEW MEXICO
JUDICIAL STANDARDS COMMISSION

POST OFFICE BOX 27248
ALBUQUERQUE, NEW MEXICO 87125-7248
(505) 222-9353
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RANDALL D. ROYBAL
Executive Director & General Counsel

PHYLLIS A. DOMINGUEZ
Investigative Trial Counsel

DEBORAH BORIO
Investigative Trial Counsel

June 2, 2014

CONFIDENTIAL
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FILED

JUN 02 2014

NM JUDICIAL
STANDARDS COMMISSION

Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701

Re: Inquiry Nos. 2014-063 & 2014-075

Dear Judge Romero:

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You are publicly endorsing candidates on Facebook and posting candidates' campaign materials on your Facebook pages, and have continued to do so after you told the Commission in your response to Inquiry No. 2014-063 that you would no longer do so. Specifically, in your April 14, 2014 response to the Commission you stated: "From here on out, I will not post candidates on facebook."

Please provide the Commission with an explanation of these incidents 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,

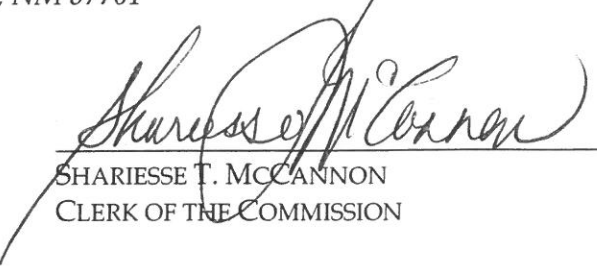
Joyce E. Bustos
Chair



CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 2nd day of June, 2014, by certified mail, return receipt requested to:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701*


SHARIESSE T. MCCANNON
CLERK OF THE COMMISSION

June 4th 2014

State of New Mexico
Judicial Standards Commission

Att: Joyce E. Bustos

Pursuant to Inquiry's #s 2014-063 & 2014-075

FILED

JUN 05 2014

**NM JUDICIAL
STANDARDS COMMISSION**

Again, I admit posting my choice of
Judicial Candidates for the 4th Judicial
Dist. Even though I stated that
I would not. I had mention to
A.O.C. of the inquiry, and they responded,
unofficially, that I was retired
and didn't realize Judicial Standards
went after retired judges. So I
felt comfortable in doing my
support for Judicial Candidates that
I know would help make the
Judiciary function with integrity
and honesty.

Exhibit

5

All I can say and do, is
Apologize to The Judicial Standards
for misleading them.

Thank you Again

Chip Jones

FILED

AUG 14 2014

BEFORE THE JUDICIAL STANDARDS COMMISSION
OF THE STATE OF NEW MEXICO

**NM JUDICIAL
STANDARDS COMMISSION**

INQUIRY CONCERNING HON. PHILIP J. ROMERO
Pro Tempore Judge

Inquiry Nos. 2014-063 & 2014-075

NOTICE OF FORMAL PROCEEDINGS

Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701

YOU ARE HEREBY NOTIFIED that the Judicial Standards Commission, pursuant to Rule 15 NMRA 2010 of the Judicial Standards Commission Rules, has instituted formal proceedings on the allegations set forth below.

COUNT I

On or between about March 22, 2014 and April 3, 2014, you publicly endorsed candidates on Facebook while you were designated as a *pro tempore* judge.

Such conduct violates Rules 21-101, 21-102, 21-103, 21-401(C)(2)(a) NMRA 2012, and constitutes willful misconduct in office.

COUNT II

On or about April 14, 2014, you informed the Judicial Standards Commission in writing that you would no longer endorse candidates on Facebook, which statement was untrue and which you knew to be untrue.

Such conduct violates Rules 21-101, 21-102, and 21-216(A) NMRA 2012, and constitutes willful misconduct in office.



COUNT III

On or between about April 28, 2014 and May 2, 2014, while you were designated as a *pro tempore* judge, you continued to publicly endorse candidates and post their campaign materials on Facebook despite having told the Judicial Standards Commission that you would no longer do so.

Such conduct violates Rules 21-101, 21-102, 21-103, 21-216(A), and 21-401(C)(2)(a) NMRA 2012, and constitutes willful misconduct in office.

PLEASE BE ADVISED that in accordance with Rule 16 of the Judicial Standards Commission Rules, you shall file a written answer to this notice within twenty-one (21) days of its service upon you. Your answer shall be filed with:

Judicial Standards Commission
P.O. Box 27248
Albuquerque, New Mexico 87125-7248

Your answer should be legible and your signature must be verified.

Article VI, § 32 of the New Mexico Constitution provides that all papers filed with and proceedings before the Judicial Standards Commission are confidential, except that any record filed by the Commission in the New Mexico Supreme Court continues privileged but, upon its filing, loses its confidential character, and a writing which was privileged prior to filing with the Commission or its masters does not lose its privilege by the filing.

JUDICIAL STANDARDS COMMISSION

By: Joyce Bustos
Joyce Bustos, Chair
Post Office Box 27248
Albuquerque, NM 87125-7248

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was sent via certified mail, return receipt requested on this 14th day of August, 2014, to the following:

*Hon. Philip J. Romero
P.O. Box 2111
Las Vegas, NM 87701*

 for
SHARIESSE T. MCCANNON
Clerk of the Commission

August 18-2014

RECEIVED

AUG 19 2014

NM JUDICIAL

STANDARDS COMMISSION

State of New Mexico

Judicial Standards Commission

Response to: Notice of Formal Proceedings
Inquiry Nos. 2014-063 & 2014-075

My Answer in letter form dated
June 4th, 2014, is & was my Answer.
Copy forwarded.

I look forward to appear
before the Commission & the
Supreme Court to further
answer and explain my beliefs.

Philip J. Romero

Philip J. Romero

Exhibit

7

June 4th 2014

State of New Mexico
Judicial Standards Commission

Att: Joyce E. Eustas

Pursuant to Inquiry's #s 2014-063 & 2014-075

Again, I admit pasting my choice of
Judicial Candidates for the 4th Judicial
Dist. Even though I stated that
I would not. I had mention to
A.O.C. of the inquiry, and they responded,
unofficially, that I was retired
and didn't realize. Judicial Standard
went after retired judges. So I
felt comfortable in doing my
support for Judicial Candidates that
I know would help make the
Judiciary function with integrity
and honesty.

All I can say and do, is
Apologize to The Judicial Standards
for misleading them.

Thank you Again

Chip Jones

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NM JUDICIAL
STANDARDS COMMISSION

VERIFICATION

STATE OF NEW MEXICO)
) ss.
COUNTY OF SAN MIGUEL)

I, Hon. Philip J. Romero, swear and affirm that my Response to the Notice of Formal Proceedings in Judicial Standards Commission Inquiry Nos. 2014-063 and 2014-075, dated August 18, 2014, is true and correct to the best of my knowledge, information, and belief.

Hon. Philip J. Romero

Signed and sworn to before me this 18th day of November, 2014.

Notary Public

My Commission expires: 10/14/18
(SEAL)

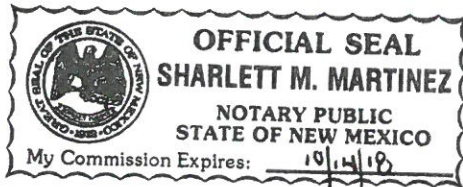


Exhibit
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