

ORIGINAL

IN THE SUPREME COURT
OF THE STATE OF NEW MEXICO

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No. 31,664

IN THE MATTER OF SABINO RAMIREZ,
Municipal Judge, City of Hatch, New Mexico

INQUIRY CONCERNING A JUDGE
No. 2008-115

FILED UNDER SEAL
Pursuant to 27-104(B) NMRA 2009

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

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The Judicial Standards Commission of the State of New Mexico ("Petitioner" or "Commission"), through the undersigned counsel, hereby moves the Supreme Court for an order approving the attached *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* in which Respondent, Hon. Sabino Ramirez, agrees to permanently resign and to never again hold judicial office in New Mexico in the future. The Commission believes this stipulation agreement best serves the interests of justice and the integrity of the New Mexico Judiciary.

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. art. VI, § 32; the Court's power of superintending control under N.M. Const. art. VI, § 3; and Rule 38 of the Judicial Standards Commission's Rules.

2. On May 20, 2009, the Court entered an Order granting the Commission's *Petition for Discipline*. The Court ordered Respondent to complete six months of supervised probation and a formal mentorship and to abide by all terms of the stipulation agreement and consent to discipline. The Court also ordered that the probation supervisor and mentor report to the Court on the progress of the probation and mentorship. Finally, the Court ordered that Respondent receive a formal reprimand to be published in the *Bar Bulletin*.

3. On June 23, 2009, the Court appointed Judge Ronald Hall to serve as the probation supervisor and mentor in this matter. A copy of Judge Ronald Hall's mentorship report in Inquiry No. 2008-115 was filed on January 12, 2010 with the Court.

4. The Commission and Respondent entered into a *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* effective upon acceptance by this Court (attached hereto as EXHIBIT 1). As stated in the stipulation agreement, Respondent has chosen to voluntarily and permanently resign from judicial office rather than going forward with ongoing Commission proceedings.

5. The *Stipulation to Permanent Resignation from Judicial Office in Lieu of Disciplinary Proceedings* provides in pertinent part:

- A. Respondent agrees to permanently resign as Judge of the Hatch Municipal Court upon acceptance of this stipulation by the New Mexico Supreme Court. Respondent shall submit duplicate original letters of resignation to the Mayor of Hatch. Respondent shall concurrently provide a copy of the resignation letter to the Commission. 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.

B. Pursuant to Rule 27-104(B) NMRA of the Rules Governing Review of Judicial Standards Commission Proceedings, the Commission will file under seal with the New Mexico Supreme Court a *Motion to Accept Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings*, attaching a copy of this agreement.

C. Upon approval of the *Motion to Accept Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* by the Supreme Court, the Commission will abate and close this matter (Inquiry No. 2008-115).

6. On January 12, 2010, Respondent decided to withdraw from the upcoming municipal election, making his last day in office February 28, 2010. *See Affidavit of Withdrawal of Candidacy*, (attached hereto as **EXHIBIT 2**).

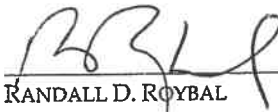
7. Upon Order from this Court, the attached *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* is enforceable by the Commission before the Supreme Court.

8. It is in the best interests of justice and the integrity of the New Mexico Judiciary that the Supreme Court issue an order accepting Respondent Hon. Sabino Ramirez's permanent resignation from judicial office.

WHEREFORE, Petitioner respectfully requests this Court issue an Order granting the Commission's Motion, enter an order approving the *Stipulation to Permanent Resignation from Judicial Office in Lieu of Further Disciplinary Proceedings* and accepting Respondent Hon. Sabino Ramirez's permanent resignation from judicial office in lieu of disciplinary proceedings.

Respectfully submitted,

JUDICIAL STANDARDS COMMISSION




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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was served by mail and by facsimile
on this 19th day of January 2010, to the following:

*Hon. Sabino Ramirez
c/o Mario A. Esparza, Esq.
P.O. Box 2468
Las Cruces, NM 88004-2468*



RANDALL D. ROYBAL