



IN THE SUPREME COURT  
OF THE STATE OF NEW MEXICO

No. S-1-SC-39527

IN THE MATTER OF HON. SAMANTHA MADRID  
Doña Ana County Magistrate Court, New Mexico

INQUIRY CONCERNING HON. SAMANTHA MADRID  
JSC Inquiry No. 2022-075

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

**VERIFIED PETITION FOR IMMEDIATE TEMPORARY  
SUSPENSION WITHOUT PAY**

JUDICIAL STANDARDS COMMISSION  
6200 Uptown Blvd. NE, Suite 340  
Albuquerque, NM 87110-4159  
Tel: (505) 222-9353  
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SAMANTHA MADRID  
229 O'Hair Dr.  
Las Cruces, NM 88001

*Respondent*

PHYLLIS A. DOMINGUEZ  
*Executive Director & General Counsel*

CHANCE A. GAUTHIER  
*Investigative Trial Counsel*

*Counsel for Petitioner*

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**VERIFIED PETITION FOR IMMEDIATE TEMPORARY  
SUSPENSION WITHOUT PAY**

The Judicial Standards Commission of the State of New Mexico (“Petitioner”), through the undersigned counsel, hereby petitions the New Mexico Supreme Court for an order immediately and temporarily suspending the Hon. Samantha Madrid (“Respondent”) from judicial office without pay pending resolution of Petitioner Judicial Standards Commission’s ongoing disciplinary investigation and proceedings.

This Court entered an Order temporarily suspending Respondent with pay on August 18, 2022, pursuant to its power of superintending control under Article VI, Section 3, of the Constitution of the State of New Mexico. Although Respondent has been suspended by this Honorable

Court, the matter has not been filed with the Court by the Judicial Standards Commission (“JSC”). Therefore, pursuant to Rule 27-201(A)(4)(a) of the Supreme Court’s Rules Governing Review of JSC proceedings and pursuant to JSC Rule 24, the Commission hereby submits this Petition for Respondent’s immediate temporary suspension without pay.

Petitioner further requests, pursuant to Rule 27-104(B) that the Supreme Court’s file in this matter, including this Petition and all Responses thereto, be unsealed. As grounds for this verified petition, Petitioner states:

1. Petitioner invokes its jurisdiction and files this *Verified Petition for Immediate Temporary Suspension Without Pay* 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 Supreme Court’s power of superintending control under Article VI, Section 3 of the New Mexico Constitution; Rule 27-201(A)(4)(a) of the Rules Governing Review of the Judicial Standards Commission Proceedings; and, Rule 24 of the Judicial Standards Commission Rules.

2. Respondent, Hon. Samantha Madrid, is a magistrate court judge in Doña Ana County, New Mexico.

3. Respondent is alleged to have committed acts that may constitute willful misconduct in office, and/or may demonstrate a habitual, intemperance, and/or that Respondent may suffer from disability seriously interfering with her ability to fulfill her judicial responsibilities.

4. The alleged acts are set forth in the Commission's *Notice of Formal Proceedings*. (See attached Exhibit A, *Notice of Formal Proceedings* in Inquiry No. 2022-075.) The acts alleged are summarized as follows:

A. On or about August 6, 2022, at the Memorial Medical Center in Las Cruces in front of members of the public, hospital staff, inmates being treated at the hospital, patients being treated at the hospital, police officers, Department of Correction personnel and Emergency Medical Technicians, Respondent became irate and verbally abusive to the attending physician and hospital staff that were attempting to evaluate her when she repeatedly raised her voice and threatened to sue the attending physician and hospital staff. When speaking to hospital staff and the attending physician Respondent used threatening and/or abusive words to the effect of:

- I. I want my lawyer and you better fuckin call him.
- II. When video comes, you're going down you son of a bitch.
- III. Where's my lawyer son of a bitches.
- IV. Where's my lawyer mother fuckers.
- V. Where's my lawyer you fucking son of a bitches I am going to sue you.

- VI. I think what you need is to be raped.
- VII. You lying whores.
- VIII. I have never kicked you, you stupid ugly bitch.
- IX. I am going to destroy you.
- X. I am suing the fuck out of you guys unless you give me a phone.

B. On or about August 6, 2022, at your home and at the Memorial Medical Center in Las Cruces in front of members of the public, hospital staff, inmates being treated at the hospital, patients being treated at the hospital, police officers, Department of Correction personnel and Emergency Medical Technicians. While cursing, yelling and threatening hospital staff and police officers Respondent repeatedly and inappropriately invoked her judicial position custody by saying words to the effect:

- I. I am a Judge and I know my rights.
- II. I'm a judge, I have a right to talk to someone.
- III. I'm a lawyer and a judge.
- IV. I'm a judge, I'm a lawyer.

C. On or about August 6, 2022, at the Memorial Medical Center in Las Cruces while being treated by hospital staff Respondent committed a battery upon a healthcare worker as defined by Section 30-3-9.2(E), NMSA, when she kicked a hospital nurse in the breast while the nurse was assisting Respondent onto a gurney. After Respondent battered the nurse and after being confronted by the nurse Respondent called the nurse a "lying whore" and a "stupid ugly bitch."

D. On or about August 6, 2022, Respondent drove her vehicle while appearing to be intoxicated as witnessed by Las Cruces Police Department Officer Carlos Carrillo and Officer Nathaniel Telles who were called to Respondent's home for a welfare check. Although Respondent was not home when officers arrived, Respondent drove her vehicle to her house before the officers left. The officers observed that Respondent smelled of

alcohol, had slurred speech bloodshot watery eyes and had trouble standing up straight.

E. On or about August 6, 2022, during a welfare check being performed by the Las Cruces Police Department over concerns regarding Respondent's health and safety and while Respondent was in protective custody, Respondent threatened and/or verbally abused Las Cruces Police Department Officer Carlos Carrillo, and Officer Nathaniel Telles, when she stated words to the effect:

- I. I am a lawyer; I will fucking beat you up.
- II. I am a lawyer, you will not take me [to the hospital] I will sue you, *repeated, multiple times.*
- III. I am going to pay somebody to sue you.
- IV. You're going to pay . . . It's a spiritual threat, no it's a spiritual threat, it's a spiritual threat.
- V. I am going to sue the fuck out of you, I'm going to sue the fuck out of you Carrillo.

F. On or about August 6, 2022, Respondent failed to cooperate and/or exhibited disorderly conduct with the police officers who arrived at her residence to perform a welfare check when she:

- A. Refused to exit her vehicle, after Officers Telles and Carrillo requested she do so;
- B. Drove away from Officer Carrillo while he was performing a welfare check;
- C. When Respondent screamed and threatened to sue Officers Telles and Carrillo for putting her in protective custody; and
- D. When Respondent became physically disorderly at the Memorial Medical Center requiring Officer Carrillo and hospital staff to forcefully sit her down.

G. Respondent failed to perform her on-call judicial

responsibilities the week of December 12, 2021 through December 17, 2021 which caused Third Judicial District Court Chief Judge Manuel Arrieta to remove her from her on-call duties. During that week Respondent repeatedly failed to answer the on-call phone and, when she did answer the phone, she presented as disoriented.

H. On or about July 22, 2021, Respondent failed to perform her on-call duties and appeared to be under the influence of alcohol and/or drugs when she was contacted by Las Cruces Sheriff's Deputy Michael Mosley for telephonic approval of an arrest warrant. Respondent swore Deputy Mosley in and requested that he email the warrant to her. After waiting approximately forty (40) minutes for warrant approval, Deputy Mosley called Respondent again, Respondent denied that she ever spoke to Deputy Mosley, she swore him in again and he again emailed the warrant to Respondent. Deputy Mosley noted that Respondent slurred her words while speaking to him. Respondent was called a third time, Respondent failed to answer the phone, and subsequently sent two emails to Deputy Mosley in which Respondent stated that she was not the on-call judge and Respondent told Officer Mosley to contact other judges for warrant approval.

I. On or about July 22, 2022, in a group text message chat Respondent sent incoherent, peculiar and/or threatening messages to fellow magistrate judges. The content of the messages included, but was not limited to: (1) having Respondent's aunt pay for a lawyer to sue various judges within the district, (2) the legality of being an on-call judge, and (3) Respondent's counselor being super rich and without debt.

5. Lapel Camera videos captured much of the interactions depicted in the Notice of Formal Proceedings. In support of this *Petition*

Petitioner attaches the lapel camera footage as Exhibits B1, B2 & B3 (*see lapel videos from Las Cruces Police Department Officers Carrillo and Telles video recording hand delivered and filed under separate seal*). Attached as Exhibit C the Commission provides an index of the videos providing reference points for this Court's review.

6. Petitioner requests that the Supreme Court issue an order for Respondent's immediate temporary suspension without pay pursuant to Rule 27-(A)(4)(a), Rule 27-201(C) of the Rules Governing Review of the JSC Proceedings and Rule 24 of the JSC Rules.

7. Petitioner certifies that Respondent's immediate temporary suspension from judicial office is necessary pending resolution of Petitioner JSC's proceedings and to preserve the public's confidence in the integrity of the judiciary. Petitioner's Certificate to this Court is attached hereto as Exhibit D.

WHEREFORE, Petitioner prays for an Order from the Court for the immediate temporary suspension without pay of Respondent, pursuant to Rule 27(A)(4)(a) and Rule 27-201(C) of the Rules Governing Review of Judicial Standards Commission Proceedings and Rule 24 of the JSC Rules, to preserve the public's confidence in the integrity of the judiciary and



pending completion of Petitioner's proceedings before the Judicial Standards Commission. Petitioner further requests that the Supreme Court's file in this matter be unsealed pursuant to Rule 27-104(B).

Respectfully Submitted,

JUDICIAL STANDARDS COMMISSION



---

PHYLLIS A. DOMINGUEZ  
*Executive Director & General Counsel*

CHANCE A. GAUTHIER  
*Investigative Trial Counsel*  
6200 Uptown Blvd. NE, Suite 340  
Albuquerque, NM 87110-4159  
Tel: (505) 222-9353  
Fax: (505) 222-9358

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed and served upon Respondent via the Supreme Court's Electronic Filing and Service System to lcrmsxm@nmcourts.gov and served via certified first class mail return receipt requested on this 22nd day of August 2022 to the Respondent as follows:

Hon. Samantha Madrid  
229 O'Hair Dr.  
Las Cruces, NM 88001

  
\_\_\_\_\_  
CHANCE A. GAUTHIER

FILED  
August 22, 2022 Kgc  
NM Judicial  
Standards Commission

BEFORE THE JUDICIAL STANDARDS COMMISSION  
OF THE STATE OF NEW MEXICO

INQUIRY CONCERNING HON. SAMANTHA MADRID  
Doña Ana County Magistrate Court  
Inquiry No. 2022-075

NOTICE OF FORMAL PROCEEDINGS

TO: Hon. Samantha Madrid  
229 O'Hair Dr.  
Las Cruces, NM 88001

YOU ARE HEREBY NOTIFIED that the Judicial Standards Commission, in accordance with its jurisdiction under Article VI, Section 32 of the New Mexico Constitution and pursuant to Judicial Standards Commission Rule 15, has instituted formal proceedings on the charges set forth below.

COUNT 1

On or about August 6, 2022, at the Memorial Medical Center in Las Cruces in front of members of the public, hospital staff, inmates being treated at the hospital, patients being treated at the hospital, police officers, Department of Correction personnel and Emergency Medical Technicians, you became irate and verbally abusive to the attending physician and hospital staff that were attempting to evaluate you when you repeatedly raised your voice and threatened to sue the attending physician and hospital staff. When speaking to hospital staff and the attending physician you used threatening and/or abusive words to the effect of:

- A. I want my lawyer and you better fuckin call him.
- B. When video comes, you're going down you son of a bitch.
- C. Where's my lawyer son of a bitches.
- D. Where's my lawyer mother fuckers.
- E. Where's my lawyer you fucking son of a bitches I am going to sue you.
- F. I think what you need is to be raped.
- G. You lying whores.

Exhibit A

H. I have never kicked you, you stupid ugly bitch.

I. I am going to destroy you.

J. I am suing the fuck out of you guys unless you give me a phone.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102, and 21-208 NMRA 2021 and constitutes willful misconduct in office.

### COUNT 2

On or about August 6, 2022, at your home and at the Memorial Medical Center in Las Cruces in front of members of the public, hospital staff, inmates being treated at the hospital, patients being treated at the hospital, police officers, Department of Correction personnel and Emergency Medical Technicians. While cursing, yelling and threatening hospital staff and police officers you repeatedly and inappropriately invoked your judicial position custody by saying words to the effect:

A. I am a Judge and I know my rights.

B. I'm a judge, I have a right to talk to someone.

C. I'm a lawyer and a judge.

D. I'm a judge, I'm a lawyer.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102, 21-103, and 21-208 NMRA and constitutes willful misconduct in office.

### COUNT 3

On or about August 6, 2022, at the Memorial Medical Center in Las Cruces while being treated by hospital staff you committed a battery upon a healthcare worker as defined by Section 30-3-9.2(E), NMSA, when you kicked a hospital nurse in the breast while she was assisting you onto a gurney. After you battered the nurse and after being confronted by the nurse you called the nurse a "lying whore" and a "stupid ugly bitch."

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102 and 21-208 NMRA and constitutes willful misconduct in office.

COUNT 4

On or about August 6, 2022, you drove your vehicle while appearing to be intoxicated as witnessed by Las Cruces Police Department Officer Carlos Carrillo and Officer Nathaniel Telles who were called to your home for a welfare check. Although you were not home when officers arrived, you drove your vehicle to your home before the officers left. The officers observed that you smelled of alcohol, had slurred speech bloodshot watery eyes and had trouble standing up straight.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102 and 21-208 NMRA and constitutes willful misconduct in office.

COUNT 5

On or about August 6, 2022, during a welfare check being performed by the Las Cruces Police Department over concerns regarding your health and safety and while you were in protective custody, you threatened and/or verbally abused Las Cruces Police Department Officer Carlos Carrillo, and Officer Nathaniel Telles, when you stated words to the effect:

- A. I am a lawyer; I will fucking beat you up.
- B. I am a lawyer, you will not take me [to the hospital] I will sue you, *repeated, multiple times.*
- C. I am going to pay somebody to sue you.
- D. You're going to pay . . . It's a spiritual threat, no it's a spiritual threat, it's a spiritual threat.
- E. I am going to sue the fuck out of you, I'm going to sue the fuck out of you Carrillo.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102 and 21-208 NMRA and constitutes willful misconduct in office.

COUNT 6

On or about August 6, 2022, you failed to cooperate and/or exhibited disorderly conduct with the police officers who arrived at your residence to perform a welfare check when you:

- A. Refused to exit your vehicle, after Officers Telles and Carrillo requested you to do so;
- B. Drove away from Officer Carrillo while he was performing a welfare check;
- C. When you screamed and threatened to sue Officers Telles and Carrillo for putting you in protective custody; and
- D. When you became physically disorderly at the Memorial Medical Center requiring Officer Carrillo and hospital staff to forcefully sit you down.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102 and 21-208 NMRA and constitutes willful misconduct in office.

COUNT 7

You failed to perform your on-call judicial responsibilities the week of December 12, 2021 through December 17, 2021 which caused Third Judicial District Court Chief Judge Manuel Arrieta to remove you from your on-call duties. During that week you repeatedly failed to answer the on-call phone and, when you did answer the phone, you presented as disoriented.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102, 21-201 and 21-205 NMRA and constitutes willful misconduct in office.

COUNT 8

On or about July 22, 2021, you failed to perform your on-call duties and appeared to be under the influence of alcohol and/or drugs when you were contacted by Las Cruces Sheriff's Deputy Michael Mosley for telephonic approval of an arrest warrant. You swore Deputy Mosley in and requested that he email the warrant to you. After waiting approximately forty (40) minutes for warrant approval, Deputy Mosley called

you again, you denied that you ever spoke to Deputy Mosley, you swore him in again and he again emailed the warrant to you. Deputy Mosley noted that you slurred your words while speaking to him. You were called a third time, failed to answer your phone, and subsequently sent two emails to Deputy Mosley in which you stated that you were not the on-call judge and told him to contact other judges for warrant approval.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102, 21-201, and 21-205 NMRA and constitutes willful misconduct in office.

COUNT 9

On or about July 22, 2022, in a group text message chat you sent incoherent, peculiar and/or threatening messages to fellow magistrate judges. The content of the messages included, but was not limited to: (1) having your aunt pay for a lawyer to sue various judges within the district, (2) the legality of being an on-call judge, and (3) your counselor being super rich and without debt.

Such conduct violates the Code of Judicial Conduct Rules 21-101, 21-102, 21-201, 21-204, 21-205 and 21-208 NMRA and constitutes willful misconduct in office.

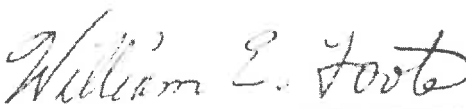
PLEASE BE ADVISED that in accordance with Rule 16 of the Judicial Standards Commission Rules, you shall file a written answer to this notice within twenty-one (21) days of its service upon you. Your answer shall be filed with the Commission electronically (call for filing e-mail address) or by mail sent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

*Judicial Standards Commission  
6200 Uptown Blvd. NE, Suite 340  
Albuquerque, New Mexico 87110-4159*

Article VI, Section 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 its privilege 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: 

William E. Foote, Ph.D., Chair  
6200 Uptown Blvd. NE, Suite 340  
Albuquerque, NM 87110-4159  
(505) 222-9353



CERTIFICATE OF SERVICE

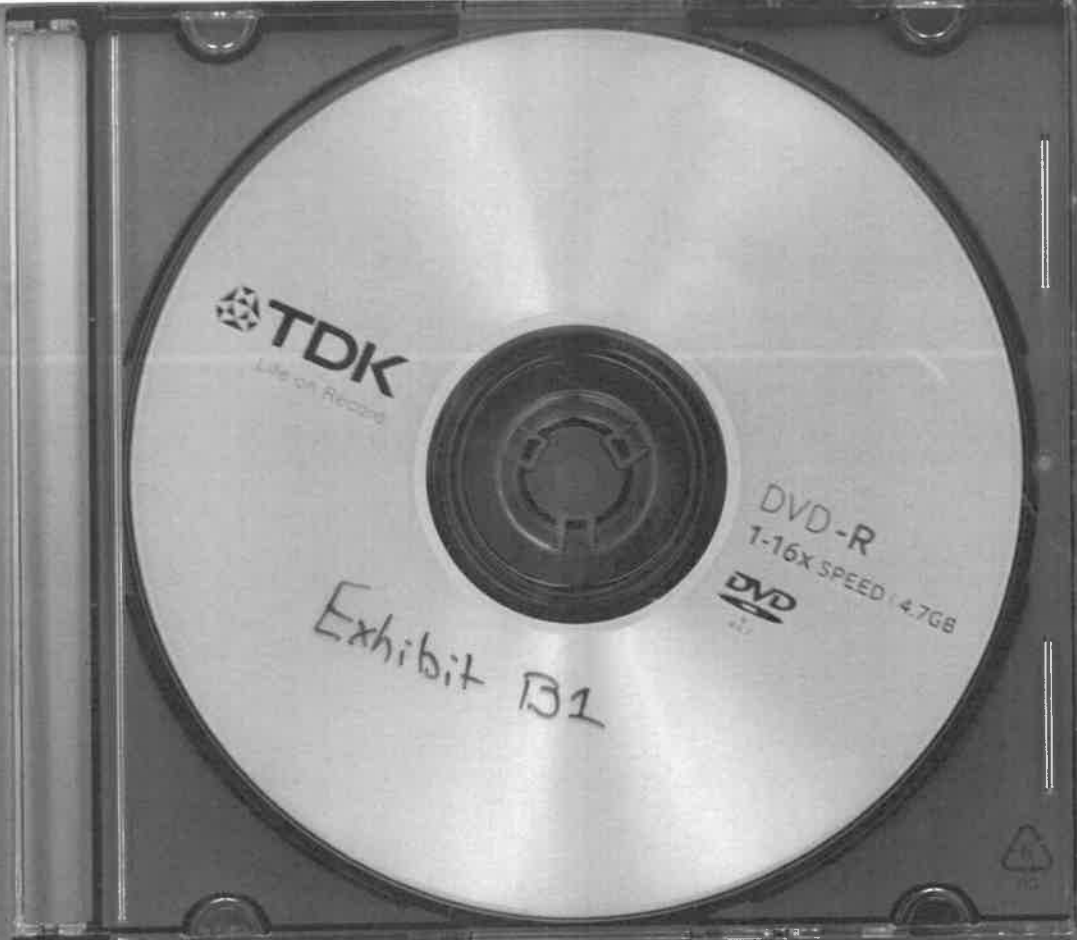
I HEREBY CERTIFY that on this 22 day of August 2022 a true copy of the foregoing was sent as follows:

VIA CERTIFIED FIRST-CLASS MAIL  
RESPONDENT

Hon. Samantha Madrid  
229 O'Hair Dr.  
Las Cruces, NM 88001

JUDICIAL STANDARDS COMMISSION

Krista Lianes Chavez



**TDK**  
Life on Record

DVD-R  
1-16X SPEED 4.7GB  
DVD

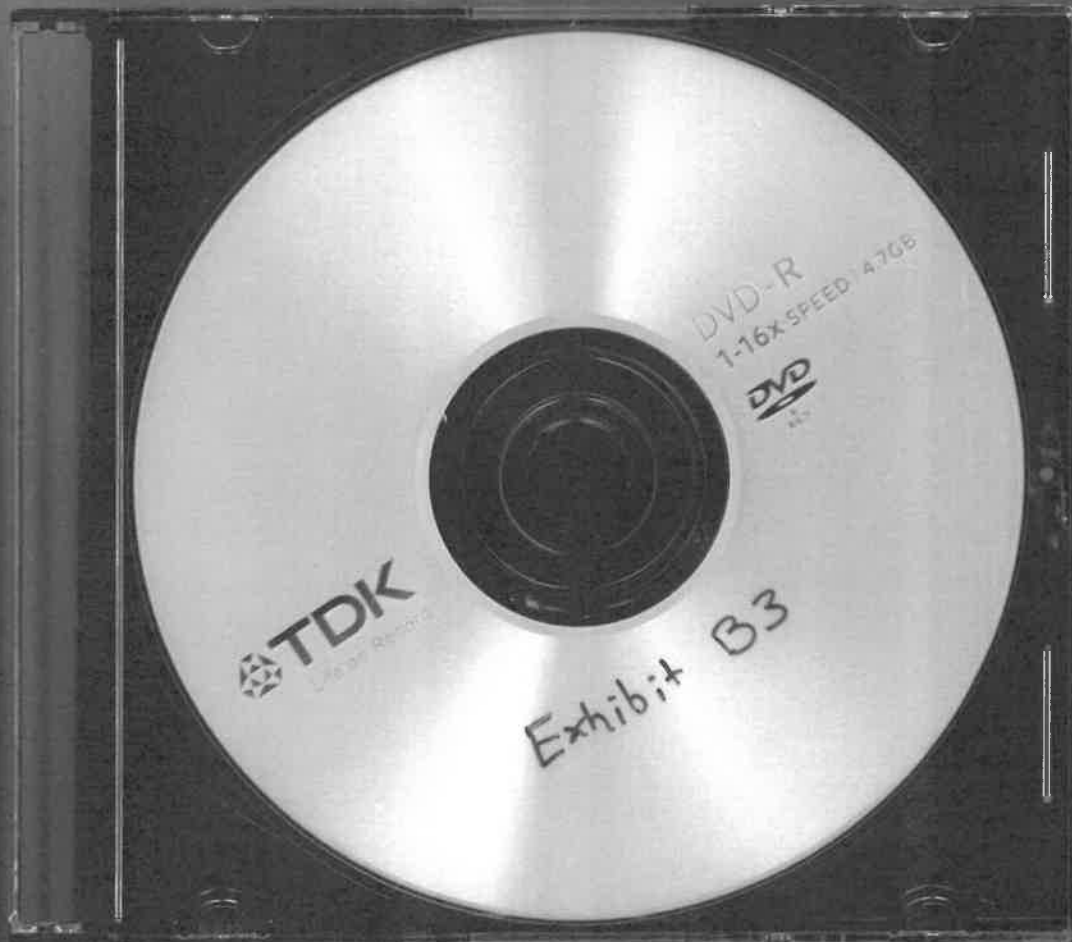
Exhibit B1



**TDK**  
Life on Record

DVD-R  
1-16X SPEED 4.7GB  
DVD

Exhibit B2



**TDK**  
Japan Removable

DVD-R  
1-16X SPEED 4.7GB

DVD  
RECORDABLE

Exhibit B3

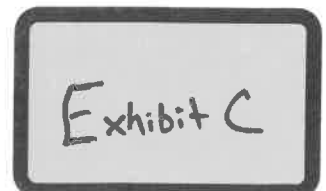
**BEFORE THE JUDICIAL STANDARDS COMMISSION  
OF THE STATE OF NEW MEXICO**

**INQUIRY CONCERNING HON. SAMANTHA MADRID  
Doña Ana County Magistrate Court**

**Inquiry No. 2022-075**

**VIDEO EXHIBIT  
INDEX**

<b>Video</b>	<b>Time Stamp</b>	<b>Description of Issue</b>	<b>Related NFP Count/s</b>
Officer Carrillo Lapel (EXHIBIT B1)	Carrillo 1:29:32	"I want my lawyer and better fuckin call him."	Count 1A.
Officer Carrillo Lapel; (EXHIBIT B1) Officer Telles Lapel (Hospital) (EXHIBIT B3)	Carrillo 1:30:40 Telles 2:23	"When video comes, you're going down you son of a bitch."	Count 1B.
Officer Telles Body Cam- Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 2:55 Carrillo 1:31:14	"Where's my lawyer son of a bitches."	Count 1C.
Officer Telles Body Cam- Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 3:15 Carrillo 1:31:32	"Where's my lawyer mother fuckers."	Count 1D.
Officer Telles Body Cam- Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 4:20 Carrillo 1:32:40	"Where's my lawyer you fucking son of a bitches."	Count 1E.
Officer Telles Body Cam- Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 4:39 Carrillo 1:32:55	"I think what you need is to be raped."	Count 1F.
Officer Telles Body Cam- Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 5:50 Carrillo 1:34:11	"you lying whores."	Count 1G.



Officer Telles Body Cam-Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 5:57 Carrillo 1:34:17	"I have never kicked you, you stupid ugly bitch."	Count 1H.
Officer Carrillo Lapel (EXHIBIT B1)	Carrillo 1:35:50	"I am going to destroy you."	Count 1I.
Officer Carrillo Lapel (EXHIBIT B1)	Carrillo 1:39:18	"I am suing the fuck out of you guys, unless you give me a phone."	Count 1J.
Officer Telles Body Cam-Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 1:45 Carrillo 1:30:04	"I am a judge and I know my rights"	Count 2A.
Officer Telles Body Cam-Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 6:16 Carrillo 1:34:36	"I'm a judge, I have a right to talk to someone"	Count 2B.
Officer Telles Body Cam-Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 6:27 Carrillo 1:34:47	"I'm a lawyer and a judge"	Count 2C.
Officer Telles Body Cam-Hospital (EXHIBIT B3) Officer Carrillo Lapel (EXHIBIT B1)	Telles 15:12 Carrillo 1:43:32	"I'm a judge, I'm a lawyer."	Count 2D.
Officer Telles Body (EXHIBIT B2) Officer Carrillo Lapel (EXHIBIT B1)	Telles 52:08 Carrillo 58:09	"I am a lawyer; I will fucking beat you up."	Count 5K.
Officer Telles Body (EXHIBIT B2) Officer Carrillo Lapel (EXHIBIT B1)	Telles 53:40 Carrillo 59:46	"I am a lawyer, you will not take me [to the hospital] I will sue you."	Count 5L.
Officer Carrillo Lapel (EXHIBIT B1)	Carrillo 1:19:40	"I am going to pay somebody to sue you."	Count 5M.
Officer Carrillo Lapel (EXHIBIT B1)	Carrillo 1:25:13	"You're going to pay...It's a spiritual threat, no it's a spiritual threat, it's a spiritual threat."	Count 5N.
Officer Carrillo Lapel (EXHIBIT B1)	Carrillo 1:27:01	"I am going to sue the fuck out of you, I'm going to sue the fuck out of you Carrillo."	Count 5O.

FILED  
August 22, 2022  
NM Judicial  
Standards Commission *Kgc*

BEFORE THE JUDICIAL STANDARDS COMMISSION  
FOR THE STATE OF NEW MEXICO

IN THE MATTER OF HON. SAMANTHA MADRID  
Doña Ana County Magistrate Court

Inquiry No. 2022-075

CERTIFICATE OF JUDICIAL STANDARDS COMMISSION

The Judicial Standards Commission of the State of New Mexico (“Commission”) hereby certifies in accordance with Rule 24 of the Judicial Standards Commission’s Rules NMRA and Rule 27-201(A)(4)(a) NMRA of the Rules Governing Review of the Judicial Standards Commission Proceedings, that immediate temporary suspension of Doña Ana County Magistrate Judge Samantha Madrid (“Respondent”) is necessary pending disposition of the Commission’s ongoing proceedings against her.

The Commission is currently investigating allegations that Respondent has committed willful misconduct in office and/or may demonstrate a habitual, intemperance, and/or that Respondent may suffer from disability seriously interfering with her ability to fulfill her judicial responsibilities. The acts alleged against Respondent are set forth fully in the Commission’s *Notice of Formal Proceedings*, and are summarized herein as follows:

- A. On or about August 6, 2022, at the Memorial Medical Center in Las Cruces in front of members of the public, hospital staff, inmates being treated at the hospital, patients being treated at the hospital, police officers, Department of Correction personnel and Emergency Medical Technicians, Respondent became irate and verbally abusive to the attending physician and hospital staff that were attempting to evaluate her when she repeatedly raised her voice and threatened to sue the attending physician and hospital staff. When speaking to hospital staff and the attending physician Respondent used threatening and/or abusive words to the

Exhibit D

effect of:

- I. I want my lawyer and you better fuckin call him.
  - II. When video comes, you're going down you son of a bitch.
  - III. Where's my lawyer son of a bitches.
  - IV. Where's my lawyer mother fuckers.
  - V. Where's my lawyer you fucking son of a bitches I am going to sue you.
  - VI. I think what you need is to be raped.
  - VII. You lying whores.
  - VIII. I have never kicked you, you stupid ugly bitch.
  - IX. I am going to destroy you.
  - X. I am suing the fuck out of you guys unless you give me a phone.
- B. On or about August 6, 2022, at your home and at the Memorial Medical Center in Las Cruces in front of members of the public, hospital staff, inmates being treated at the hospital, patients being treated at the hospital, police officers, Department of Correction personnel and Emergency Medical Technicians. While cursing, yelling and threatening hospital staff and police officers Respondent repeatedly and inappropriately invoked her judicial position custody by saying words to the effect:
- I. I am a Judge and I know my rights.
  - II. I'm a judge, I have a right to talk to someone.
  - III. I'm a lawyer and a judge.
  - IV. I'm a judge, I'm a lawyer.
- C. On or about August 6, 2022, at the Memorial Medical Center in Las Cruces while being treated by hospital staff Respondent committed a battery upon a healthcare worker as defined by Section 30-3-9.2(E), NMSA, when she kicked a hospital nurse in the breast while the nurse was assisting Respondent onto a gurney. After Respondent battered the nurse and after being confronted by the nurse Respondent called the nurse a "lying whore" and a "stupid ugly bitch."
- D. On or about August 6, 2022, Respondent drove her vehicle while appearing to be intoxicated as witnessed by Las Cruces Police Department Officer Carlos Carrillo and Officer Nathaniel Telles who were called to Respondent's home for a welfare check. Although Respondent was not home when officers arrived, Respondent drove her vehicle to her house before the officers left. The officers observed that Respondent smelled of

alcohol, had slurred speech bloodshot watery eyes and had trouble standing up straight.

- E. On or about August 6, 2022, during a welfare check being performed by the Las Cruces Police Department over concerns regarding Respondent's health and safety and while Respondent was in protective custody, Respondent threatened and/or verbally abused Las Cruces Police Department Officer Carlos Carrillo, and Officer Nathaniel Telles, when she stated words to the effect:
  - I. I am a lawyer; I will fucking beat you up.
  - II. I am a lawyer, you will not take me [to the hospital] I will sue you, *repeated, multiple times.*
  - III. I am going to pay somebody to sue you.
  - IV. You're going to pay . . . It's a spiritual threat, no it's a spiritual threat, it's a spiritual threat.
  - V. I am going to sue the fuck out of you, I'm going to sue the fuck out of you Carrillo.
  
- F. On or about August 6, 2022, Respondent failed to cooperate and/or exhibited disorderly conduct with the police officers who arrived at her residence to perform a welfare check when She:
  - A. Refused to exit her vehicle, after Officers Telles and Carrillo requested she do so;
  - B. Drove away from Officer Carrillo while he was performing a welfare check;
  - C. When Respondent screamed and threatened to sue Officers Telles and Carrillo for putting her in protective custody; and
  - D. When Respondent became physically disorderly at the Memorial Medical Center requiring Officer Carrillo and hospital staff to forcefully sit her down.
  
- G. Respondent failed to perform her on-call judicial responsibilities the week of December 12, 2021 through December 17, 2021 which caused Third Judicial District Court Chief Judge Manuel Arrieta to remove her from her on-call duties. During that week Respondent repeatedly failed to answer the on-call phone and, when she did answer the phone, she presented as disoriented.
  
- H. On or about July 22, 2021, Respondent failed to perform her on-call duties



and appeared to be under the influence of alcohol and/or drugs when she was contacted by Las Cruces Sheriff's Deputy Michael Mosley for telephonic approval of an arrest warrant. Respondent swore Deputy Mosley in and requested that he email the warrant to her. After waiting approximately forty (40) minutes for warrant approval, Deputy Mosley called Respondent again, Respondent denied that she ever spoke to Deputy Mosley, she swore him in again and he again emailed the warrant to Respondent. Deputy Mosley noted that Respondent slurred her words while speaking to him. Respondent was called a third time, Respondent failed to answer the phone, and subsequently sent two emails to Deputy Mosley in which Respondent stated that she was not the on-call judge and Respondent told Officer Mosley to contact other judges for warrant approval.

- I. On or about July 22, 2022, in a group text message chat Respondent sent incoherent, peculiar and/or threatening messages to fellow magistrate judges. The content of the messages included, but was not limited to: (1) having Respondent's aunt pay for a lawyer to sue various judges within the district, (2) the legality of being an on-call judge, and (3) Respondent's counselor being super rich and without debt.

The Commission has determined that continued judicial service by Respondent, Hon. Samantha Madrid, would cause immediate and substantial public harm; an appearance of impropriety; erosion of the public's confidence in the integrity, independence, and impartiality of the judiciary; and undermine the orderly administration of justice.

JUDICIAL STANDARDS COMMISSION

By  \_\_\_\_\_

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