



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

No. S-1-SC-\_\_\_\_\_

IN THE MATTER OF HON. DESERI SICHLER  
Valencia County Magistrate Court

S-1-SC-40160

INQUIRY CONCERNING HON. DESERI SICHLER  
JSC Inquiry No. 2022-111

**FILED UNDER SEAL**

PURSUANT TO 27-104(B) NMRA

**PETITION TO ACCEPT STIPULATION AGREEMENT  
AND CONSENT TO DISCIPLINE**

JUDICIAL STANDARDS COMMISSION  
6200 Uptown Blvd. NE, Suite 340  
Albuquerque, NM 87110-4159  
(505) 222-9353

JULIO P. GARCIA, ESQ.  
3705 B-1 Ellison Rd NW #323  
Albuquerque, NM 87114  
(505) 718-9952

PHYLLIS A. DOMINGUEZ  
*Executive Director & General Counsel*

*Counsel for Respondent*

MARCUS BLAIS  
*Investigative Trial Counsel*

*Counsel for Petitioner*

IN THE SUPREME COURT  
OF THE STATE OF NEW MEXICO

No. S-1-SC-\_\_\_\_\_

IN THE MATTER OF HON. DESERI SICHLER  
Valencia County Magistrate Court

INQUIRY CONCERNING HON. DESERI SICHLER  
JSC Inquiry No. 2022-111

**FILED UNDER SEAL**

PURSUANT TO 27-104(B) NMRA

**PETITION TO ACCEPT STIPULATION AGREEMENT  
AND CONSENT TO DISCIPLINE**

The Judicial Standards Commission of the State of New Mexico (“Commission”), through the undersigned counsel, hereby respectfully petitions the Supreme Court for an order approving the attached *Stipulation Agreement and Consent to Discipline* (“*Stipulation*”), attached hereto as **Exhibit 1**, in which Hon. Deseri Sichler (“Respondent”), represented by Julio P. Garcia, Esq., consents to discipline from the Supreme Court in lieu of further disciplinary proceedings as outlined in the attached *Stipulation*.

The Commission further requests that the Supreme Court unseal the file in this matter, pursuant to Rule 27-104(B) NMRA.

The Commission believes the *Stipulation* best serves the interests of justice and the integrity of the New Mexico judiciary, and as further grounds for this Petition states:

1. The Commission invokes its jurisdiction pursuant to the Commission's power to recommend the discipline of judges, and the Supreme Court's power to discipline judges under Article VI, Section 32 of the New Mexico Constitution; the Court's power of superintending control under Article VI, Section 3 of the New Mexico Constitution; and Rule 36 of the Judicial Standards Commission's Rules.

2. This matter is currently pending before the Commission pursuant to a *Notice of Formal Proceedings* issued to Respondent on August 25, 2023, in Inquiry No. 2022-111 (*See Exhibit A to Exhibit 1*).

3. The Commission issued a *Notice of Investigation* to Respondent on February 13, 2023 (*See Exhibit B to Exhibit 1*) and Respondent's response to the *Notice of Investigation* was filed on February 21, 2022 (*See Exhibit C to Exhibit 1*).

4. Pursuant to Commission's Rule 19, NMRA 2020, and following the Commission's receipt and review of Respondent's written response to the *Notice of Investigation*, the Commission invited Respondent to participate in an informal confidential conference with the Commission on August 7, 2023, by Zoom video conferencing. The conference afforded Respondent an opportunity to discuss and explain her response to the *Notice of Investigation* in person and provided the Commission an opportunity to ask Respondent questions and further discuss the pending allegations and Respondent's response to assist in determining the appropriate course of action.

5. After full consideration of Respondent's written response and the information she provided verbally at the informal confidential conference, the Commission issued a *Notice of Formal Proceedings* to Respondent and set the matter for a hearing on the merits.

6. The Commission entered into a *Stipulation* with Respondent on October 31, 2023 (*See Exhibit 1*). The Stipulation was based upon the facts Respondent admitted, Respondent's cooperation and candor before the Commission and Respondent's consent to the imposition of discipline by the Supreme Court as follows:

**Public Censure:** Respondent agrees and consents to receive a public ensure from the Supreme Court, which shall be published in the New Mexico *Bar Bulletin*.

7. As set forth in the *Stipulation*, Respondent agrees that her conduct constitutes willful misconduct and provides sufficient basis for the New Mexico Supreme Court to impose discipline against Respondent pursuant to Article VI, Section 32 of the New Mexico Constitution.

8. Respondent admitted that her conduct violated Rules 21-101, 21-102, 21-402 and 21-404 of the Code of Judicial Conduct as well as NMSA Section 1-19-29(I).

9. The Commission shall close Inquiry No. 2022-111 upon an order from the Supreme Court granting the stipulated discipline and upon the issuance of the public censure.

10. The attached *Stipulation* is enforceable by the Commission before the Supreme Court.

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

WHEREFORE, the Commission respectfully requests this Court issue an order granting the Commission's Petition, approving the *Stipulation Agreement and Consent to Discipline* and imposing the discipline set forth in

the *Stipulation*. The Commission 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.

Respectfully submitted,

JUDICIAL STANDARDS COMMISSION



---

PHYLLIS A. DOMINGUEZ  
*Executive Director & General Counsel*

MARCUS BLAIS  
*Investigative Trial Counsel*  
6200 Uptown Blvd. NE, Suite 340  
Albuquerque, NM 87110-4159  
Telephone: (505) 222-9353

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was filed and served via the Supreme Court's Electronic Filing and Service System addressed to julio@adviselawfirm.com on this 31<sup>st</sup> day of October, 2023.

  
\_\_\_\_\_

BEFORE THE JUDICIAL STANDARDS COMMISSION  
OF THE STATE OF NEW MEXICO

INQUIRY CONCERNING HON. DESERI SICHLER  
Valencia County Magistrate Court

Inquiry No. 2022-111

**FILED**

OCT 31 2023

**NM JUDICIAL  
STANDARDS COMMISSION**

STIPULATION AGREEMENT AND CONSENT TO DISCIPLINE

THIS MATTER is currently pending before the Judicial Standards Commission ("Commission") pursuant to a *Notice of Formal Proceedings* issued to Hon. Deseri Sichler ("Respondent") on August 25, 2023, in Inquiry No. 2022-111 (*see Exhibit A*).

This *Stipulation Agreement and Consent to Discipline* ("*Stipulation*") is entered into by and between the Commission and Respondent, Hon. Deseri Sichler, who is represented by Julio Garcia, Esq.

The Commission issued a *Notice of Investigation* to Respondent on February 13, 2023 (*see Exhibit B*), and Respondent's response to the *Notice of Investigation* was filed on February 21, 2023 (*see Exhibit C*).

Pursuant to Commission Rule 19 NMRA 2020 and following the Commission's receipt and review of Respondent's written response to a *Notice of Investigation*, the Commission invited Respondent to participate in an informal confidential conference with the Commission on August 7, 2023, by Zoom video conferencing. The conference afforded Respondent an opportunity to discuss and explain her response to the *Notice of Investigation* in person and provided the Commission an opportunity to ask Respondent questions about the pending allegations and Respondent's response to assist in determining the appropriate course of action.



After full consideration of Respondent's written response and the information she provided verbally at the informal conference, the Commission issued a *Notice of Formal Proceedings* to Respondent and set the matter for a hearing on the merits.

In consideration of the foregoing, this *Stipulation Agreement and Consent to Discipline* ("*Stipulation*") is entered into by and between the Commission and Respondent. The parties hereby enter into the following agreement:

1. Respondent admits that she engaged in willful misconduct by committing the following acts:

- A. During Judge Sichler's 2022 campaign for Valencia County Magistrate Court Judge, Judge Sichler acted as campaign treasurer and personally accepted funds on behalf of her campaign contrary to NMSA Section 1-19-34(A).
- B. On or about March 7, 2022, Judge Sichler listed Russel D. Schmidt as her campaign treasurer on the Secretary of State's Campaign Finance portal/Campaign Finance Information System (CFIS) in her bid for Valencia County Magistrate Court judge but failed to remove him as treasurer when his consent was withdrawn and then began to act as her own treasurer until September 16, 2022, contrary to NMSA Section 1-19-29(I).
- C. On or about March 7, 2022, Judge Sichler created the Committee to Elect Deseri Sichler and listed herself as the sole contact person for the Committee. All contact information for the Committee, advertisements and her website contained her personal contact information including email, phone number, and mailing address.

2. Respondent admits that she violated the following rules of the Code of Judicial Conduct: 21-101, 21-102, 21-402, and 21-404 NMRA.

3. Respondent consents to imposition of the following discipline by the Supreme Court:

**Public Censure** - Respondent shall receive a public censure from the Supreme Court, which shall be published in the New Mexico *Bar Bulletin*.

4. The Commission has jurisdiction over Respondent and the above-captioned and numbered matter pursuant to Article VI, Section 32 of the Constitution of the State of New Mexico; NMSA 1978, Sections 34-10-1 through 34-10-4; and Judicial Standards Commission Rules.

5. Pursuant to Rule 27-104(B) NMRA, the Commission will file under seal with the Supreme Court, a *Petition to Accept Stipulation Agreement and Consent to Discipline* ("Petition"), attaching a copy of the *Stipulation*, a copy of the *Notice of Formal Proceedings* and Respondent's response issued in Inquiry No. 2022-111.

6. Upon granting the *Petition* and pursuant to Supreme Court Rule 27-104(B), the Court should unseal the *Petition*.

7. Upon execution of this *Stipulation* and acceptance by the Supreme Court, the Commission will close the matter pending against the Respondent before the Commission (Inquiry No. 2022-111).

8. This *Stipulation* is specifically enforceable by the Commission before the 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 Commission's proceedings.

10. Respondent shall not make any public misrepresentations concerning this inquiry, the facts and circumstances of Respondent's *Stipulation*, or the Commission's proceedings.

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

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

13. 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 No.

2022-111, which were not admitted to in this *Stipulation*, shall be deemed admitted by the Respondent, will be used against Respondent in future proceedings before the Commission and the Court, and may constitute obstruction of Commission business and contempt.

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

15. 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 AND APPROVAL

I have read and understand this *Stipulation*. I have had the opportunity to discuss this matter and my rights with an attorney. I understand that by entering into this *Stipulation*, I will be giving up my rights to a formal hearing on the merits and to confront, cross-examine and compel the attendance of witnesses regarding these issues.

I know, understand, and agree that the provisions of this *Stipulation* are material to the Commission's deliberations and ultimate acceptance of it. I further understand that if I violate any provision of this *Stipulation* in any manner, I agree, acknowledge, and accept that all charges lodged against me in the *Notice of Formal Proceedings* issued to me on August 25, 2023, in Inquiry 2022-111 are admitted by me as fact, and that the Commission shall re-initiate the matter pending before the Court and/or the Commission at the time this *Stipulation* was executed.

  
HON. DESERI SICHLER Respondent

Dated: Oct 18, 2023

COUNSEL FOR RESPONDENT'S REVIEW AND APPROVAL


I have reviewed this *Stipulation* with my client. I have advised my client of her constitutional rights and possible defenses, and hereby accept and approve my client's entry into this *Stipulation*.

  
JULIO GARCIA, ESQ.  
Counsel for Respondent

Dated: October 18, 2023

INVESTIGATIVE TRIAL COUNSEL'S REVIEW AND APPROVAL

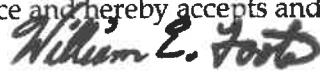
I have reviewed this *Stipulation* and find that it is appropriate and in the best interests of justice. I hereby recommend that the Judicial Standards Commission accept and approve this *Stipulation*.

  
\_\_\_\_\_  
MARCUS BLAIS, ESQ.  
*Investigative Trial Counsel*

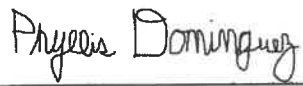
Dated: 10/27/23

JUDICIAL STANDARDS COMMISSION'S REVIEW & APPROVAL

The Commission has reviewed this *Stipulation* and finds that it is in the best interests of justice and hereby accepts and approves this *Stipulation*.

  
\_\_\_\_\_  
WILLIAM E. FOOTE, PH.D.  
*Chair*

Dated: 10-31-23

  
\_\_\_\_\_  
PHYLLIS A. DOMINGUEZ  
*Executive Director & General Counsel*

Dated: 10/31/23

BEFORE THE JUDICIAL STANDARDS COMMISSION  
OF THE STATE OF NEW MEXICO

INQUIRY CONCERNING HON. DESERI A. SICHLER  
Valencia County Magistrate Court  
Inquiry No. 2022-111

**FILED**

AUG 25 2023

LS

**NM JUDICIAL  
STANDARDS COMMISSION**

NOTICE OF FORMAL PROCEEDINGS

TO: Hon. Deseri A. Sichler  
Valencia County Magistrate Court  
1206 Main St.  
Los Lunas, NM 87031

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

During your 2022 campaign for Valencia County Magistrate Court Judge, you acted as campaign treasurer and personally solicited and accepted funds on behalf of your campaign contrary to NMSA Section 1-19-34(A).

Such conduct may violate the Code of Judicial Conduct Rules 21-101, 21-102, 21-402, and 21-404 NMRA 2020, and constitute willful misconduct in office.

COUNT 2

On or about March 7, 2022, you falsely listed Russel D. Schmidt as your campaign treasurer on the Secretary of State's Campaign Finance portal/Campaign Finance Information System (CFIS) in your bid for Valencia County Magistrate Court judge without Russel D. Schmidt's consent contrary to NMSA Section 1-19-29(I).

Exhibit A  
to  
Exhibit 1

Such conduct may violate the Code of Judicial Conduct Rules 21-101, 21-102, 21-402, and 21-404 NMRA 2020, and may constitute willful misconduct in office.

**COUNT 3**

On or about March 7, 2022, you created the *Committee to Elect Deseri Sichler* and listed yourself as the sole contact person for the Committee. All contact information for the Committee, advertisements and your website contained your personal contact information including email, phone number, and mailing address.


Such conduct may violate the Code of Judicial Conduct Rules 21-101, 21-102, 21-402, and 21-404 NMRA 2020, and may constitute 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 25th day of August, 2023, a true copy of the foregoing  
was sent as follows:

VIA CERTIFIED FIRST-CLASS MAIL  
RESPONDENT

Hon. Deseri A. Sichler  
Valencia County Magistrate Court  
1206 Main St.  
Los Lunas, NM 87031

JUDICIAL STANDARDS COMMISSION

  
\_\_\_\_\_



**STATE OF NEW MEXICO  
JUDICIAL STANDARDS COMMISSION**

6200 UPTOWN BLVD. NE, SUITE 340  
ALBUQUERQUE, NEW MEXICO 87110-4159  
WWW.NMJSC.ORG | (505) 222-9353

**PHYLLIS A. DOMINGUEZ**  
Executive Director &  
General Counsel

**CHANCE A. GAUTHIER**  
Investigative Trial Counsel


**KARA JOHNSON**  
Assistant Investigative Trial Counsel

February 13, 2023

**CONFIDENTIAL**  
CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Hon. Deseri Sichler  
Valencia County Magistrate Court  
1206 Main St.  
Los Lunas, NM 87031

**FILED**

FEB 13 2023 

*Re: Inquiry No. 2022-111*

**NM JUDICIAL  
STANDARDS COMMISSION**

Dear Judge Sichler:

You are hereby notified that the above-referenced matter came before the Judicial Standards Commission on a verified, third-party complaint; a complaint docketed by the Commission's General Counsel; or upon the Commission's own motion. As part of an investigation pursuant to Rules 15(B) and (C) of the Judicial Standards Commission Rules (NMRA 2020), the Commission requires that you provide a written explanation as to the matters discussed below.

It has been alleged that:

1. While campaigning for Valencia County Magistrate Judge you failed to maintain an active treasurer from the moment you announced your candidacy through September of 2022.
2. While campaigning for Valencia County Magistrate you falsely listed a Russel D. Schmidt as your treasurer despite you acting as the treasurer for your own campaign.
3. You created a campaign committee, the Committee to Elect Deseri Sichler, and you were the sole contact person for the committee. All contact information, advertisements and your website contained your personal contact information, including email, phone number and mailing address.
4. You personally solicited and accepted funds on behalf of your campaign.

Exhibit B  
to  
Exhibit 1



Please provide the Commission with an explanation for your actions and the factual and legal bases for such conduct. Your response to this notice must be submitted in writing and must include an explanation and disclosure of all pertinent facts, along with any relevant documents or materials you wish the Commission to consider regarding the matter outlined herein. Pursuant to Rule 16(B) of the Judicial Standards Commission Rules (NMRA 2020), the Commission must receive your response within twenty-one (21) days of your receipt of this notice.

Sincerely yours,



William E. Foote, Ph.D.  
Chair

**CERTIFICATE OF MAILING**

I hereby certify that a true copy of the foregoing was mailed on the 13<sup>th</sup> day of February 2023, by USPS certified mail, return receipt requested to:

Hon. Deseri Sichler  
Valencia County Magistrate Court  
1206 Main St.  
Los Lunas, NM 87031



**FILED**

FEB 21 2023

**NM JUDICIAL  
STANDARDS COMMISSION**

Friday, February 17, 2023

William E. Foote  
NM Judicial Standards Commission  
Chairman  
6200 Uptown Blvd. NE Suite 340  
Albuquerque, NM 87110

Re: inquire No 2022-111

Dear Mr. Foote

Regarding the allegations in to above mentioned complaint:

1. While campaigning for Valencia County Magistrate Judge, upon filing for candidacy in March of 2022, Russell D. Schmidt had agreed to be my Treasurer. Mr. Schmidt did not officially inform me that he was no longer willing to serve as Treasurer until September 16<sup>th</sup> when I received notice of a State Ethics complaint.
2. Russell D. Schmidt had originally agreed to be my Treasurer at the time of me announcing my candidacy. Mr. Schmidt and I had a falling out on August 5, 2022. I did act as Treasurer prior to the State Ethics Complaint on September 16, 2022. I did not know at the time that when running for Judicial office, it is not allowed to act as your own Treasurer. Mr. Schmidt's and mine agreement originally is that he would be available as back up if I needed help.
3. I was acting under the impression the campaign committee was Mr. Schmidt and myself. I did not realize that having my contact information as the primary contact was not allowed. I had run in previous elections and thought I was doing things appropriately. I am aware now those actions are not allowed and will seek additional training in judicial standards. Upon receiving this complaint, I noticed my website was still active, I thought I had unpublished it at the time I had unpublished my Facebook page. I have since unpublished my website and no longer have any advertisements circulating.
4. I accepted some campaign contributions from individuals, who of their free will, approached me to give me a donation. I did not at any time solicit donations from any person's during my campaign.

Exhibit C  
to  
Exhibit 1

On September 16, 2022 a complaint was filed against me with the State Ethics Commission on similar allegations. Upon being aware that my actions were in violation of laws, I corrected my actions and complied with all requirements of me. Please see attached State Ethics Complaint and responses. I am happy to provide any additional information the Judicial Standards Commission would ask of me.

Sincerely,

  
Deseri A. Sichler



**NEW MEXICO STATE ETHICS COMMISSION**

800 Bradbury Dr. SE, Suite 215, Albuquerque, New Mexico 87106  
 505-827-7800 | ethics.commission@state.nm.us

Hon. William F. Lang (Chair)  
 Jeff Baker  
 Stuart M. Bluestone  
 Hon. Garrey Carruthers  
 Hon. Celia Foy Castillo  
 Ron Sollimon  
 Dr. Judy Villanueva

**COMPLAINT FORM**

By my signature below, I verify that the allegations contained in this complaint, along with the attachments and exhibits hereto, are true and correct to the best of my knowledge and belief, and that I believe the allegations herein violate New Mexico election and/or ethics law.

**COMPLAINANT'S INFORMATION (Person(s) and/or Organization(s) filling out this complaint)**

Name or Organization: Sabrina Rael  
 Address: 95 Otero Rd  
 City: Los Lunas State: New Mexico Zip: 87031570  
 Phone: 5058045608 Email: raelforjudge@gmail.com

**RESPONDENT'S INFORMATION (Person(s) and/or Organization(s) this complaint is filed against)**

*Include information for additional respondents (if any) on a separate sheet. Complaints submitted without the Respondent's address or email will not be accepted.*

Name or Organization: Deseri Sichler  
 Address: 1 Hammond Crt  
 City: Los Lunas State: New Mexico Zip: 87031  
 Phone: \_\_\_\_\_ Email: deseri.a.sichler@gmail.com

Have you submitted or will you submit this or a substantially similar complaint against the Respondent with another governmental agency:

Yes  No If Yes, which agency: Secretary of State - Ethics

Is there any pending legal action against the Respondent for the conduct alleged in the complaint?

Yes  No  Unsure

The State Ethics Commission has jurisdiction to investigate and adjudicate alleged violations of the following statutes. Please indicate the law(s) you believe have been violated and, if known, include specific provisions in the Complaint Description. (Check all that apply):

- |                                                            |                                                                                                         |
|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Campaign Reporting Act | <input type="checkbox"/> Procurement Code                                                               |
| <input type="checkbox"/> Financial Disclosure Act          | <input type="checkbox"/> State Ethics Commission Act                                                    |
| <input type="checkbox"/> Gift Act                          | <input type="checkbox"/> Article 9, Section 14 of the Constitution of New Mexico (Anti-Donation Clause) |
| <input type="checkbox"/> Lobbyist Regulation Act           | <input type="checkbox"/> Unsure                                                                         |
| <input type="checkbox"/> Voter Action Act                  |                                                                                                         |
| <input type="checkbox"/> Governmental Conduct Act          |                                                                                                         |

Do you believe any of the conduct alleged in this complaint constitutes a violation of criminal law?

Yes  No  Unsure

Attached hereto are \_\_\_\_\_ additional pages which reasonably describe the actions or inactions which I believe violate the selected laws as indicated above.

**COMPLAINT DESCRIPTION**

Please use the following format for your description of each alleged violation: 1) Law violated; 2) Relevant section(s) or provision(s) of the law; 3) Description of alleged violation; and 4) List of facts that substantiate your allegations; 5) Names and contact information of any witnesses; 6) What action(s) on part of the Respondent will resolve your concern; and 7) Description of supporting documents included with this complaint or documents relevant to the complaint, if any. Please include the date, place, and time of conduct (to the best of your knowledge) for each violation alleged.

---

By submitting this complaint, I attest under oath and subject to penalty of perjury that the information in the complaint, and any attachments provided with the complaint, are true and accurate.

9/15/2022 Sabrina Rael

9-15-2022

Submitted via Email

To Whom it may concern,

It has come to my attention that candidate Deseri Sichler for Magistrate judge Division 3 in Valencia County, Does not have an active treasurer for her campaign committee. Her Treasurer in the Campaign Finance Information system (CFIS) is Russell D. Schmidt. Upon meeting Mr. Schmidt approximately 3 weeks ago, he informed me that he has not been handling any of the Contributions or Expenditures for Committee to elect Deseri Sichler, for the entirety of the campaign, which is a direct Violation of The Campaign Reporting Act. The following is the law from the Campaign Reporting act;

1-19-29. Time and place of filing reports.

- I. Reports required by this section shall be subscribed and sworn to by the candidate or the treasurer of the political committee or, **in the case of candidates for judicial office, by the treasurer of the candidate's campaign committee.** A report filed electronically shall be electronically authenticated by the candidate or the treasurer of the committee using an electronic signature in conformance with the Electronic Authentication of Documents Act [14-15-1 through 14-15- 6 NMSA 1978] and the Uniform Electronic Transactions Act [Chapter 14, Article 16 NMSA 1978]. For the purposes of the Campaign Reporting Act, a report that is electronically authenticated in accordance with the provisions of this subsection shall be deemed to have been subscribed and sworn to by the candidate or the treasurer of the committee who was required to file the report. J. Reports required by this section shall be filed electronically by all reporting individuals.

I spoke to Patrick Rostock at the Secretary of State's Office who confirmed Mr. Schmidt has never authenticated his log in and that the Ms. Sichler has submitted all reports on her own instead of the committee treasurer.

Ms. Sichler has had a falling out with Mr. Schmidt, On or About Aug. 5<sup>th</sup> 2022. She or her committee has not established a new treasurer. Per the Campaign Reporting Act;

1-19-34. Candidates; political or campaign committees; treasurer; bank account; anonymous contributions; contributions from special events; credit and debit card contributions.

A. A political or campaign committee or a candidate shall ensure that:

(1) **a treasurer has been appointed and is constantly maintained; provided, however, that when a duly appointed treasurer is unable for any reason to continue as treasurer, the candidate or committee shall appoint a successor and notify the secretary of state within ten days;** and provided further that a candidate may serve as the candidate's own treasurer;

(2) all disbursements of money and receipts of contributions are authorized by and through the candidate or treasurer;

In Conclusion, Ms. Sichler has willfully and deliberately violated the laws of the State of New Mexico. Ms. Sichler should be held accountable and removed from the ballot. These violations should be referred to the District Attorney office and charges filed for violation of the State Law.

Mr. Schmidt is willing to speak to the necessary investigator and he can be reached at 505-480-6144.

9-15-2022

Submitted via Email

**NEW MEXICO CAMPAIGN FINANCE SYSTEM**  
SECRETARY OF STATE

**Deseri Ann Stichler** **REPUBLICAN**  
Candidate for Magistrate Judge of Valencia in District DIVISION 3

<b>Status</b> Active	<b>Candidate Address</b> 1 Hammond Ct LOS LUNAS, NM 87031	<b>Candidate Email</b> deseri.a.stichler@gmail.com	<b>Date Registered</b> 03/07/2022
<b>Election(s)</b> 2022 General Election - 2022	<b>Committee Name &amp; Address</b> Committee to elect Deseri Stichler 1 Hammond Ct LOS LUNAS, NM 87031	<b>Committee Email</b> deseri.a.stichler@gmail.com	<b>Treasurer</b> Russell D Schmitt
<b>Date of Last Filing</b> 09/12/2022			

SUMMARY	CONTRIBUTIONS	EXPENDITURES	FILINGS	FINES	DOCUMENTS
<b>Combined Financial Totals</b>					
Total Contributions	<b>\$1,500.00</b>	Total Expenditures	<b>\$876.39</b>	Top Contributors	
In-Kind Contributions	<b>\$1,815.27</b>	Current Debt Balance	<b>\$0.00</b>	T. Stichler, Deseri Ann (Committee to elect Deseri Stichler) <b>\$1,168.25</b>	

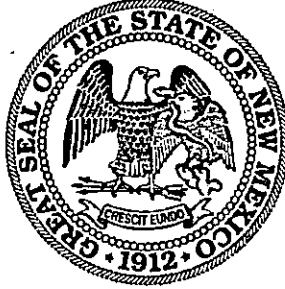
September 2022

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Today  
All Day First Day of Hispanic Heritage Month

Respectfully Submitted,

Sabrina L. Rael



**STATE ETHICS COMMISSION**

SABRINA RAEL,  
Complainant,  
v.  
DESERI SICHLER,  
Respondent.

No. 2022-034

**ORDER APPROVING SETTLEMENT AGREEMENT AND DISMISSING  
COMPLAINT**

On December 9, 2022, at an open meeting, the Commission voted to approve the attached settlement agreement with respondent, resolving the claims in this matter. Pursuant to that agreement, the complaint against respondent is hereby DISMISSED. Pursuant to NMSA 1978, Section 10-16G-10(F) (2021), the complaint and the settlement agreement are subject to public disclosure.

**SO ISSUED, this 9th day of December 2022.**

**HON. WILLIAM F. LANG, Chair  
JEFFREY L. BAKER, Commissioner  
STUART M. BLUESTONE, Commissioner  
HON. GARREY CARRUTHERS,  
Commissioner  
HON. CELIA FOY CASTILLO, Commissioner  
RONALD SOLIMON, Commissioner  
JUDY VILLANUEVA, Commissioner**



Tuesday, October 4, 2022

Dear State Ethics Commission and Secretary of State

Re: Statement by Deseri Sichler, candidate for Magistrate Judge Division 3, regarding Ms. Rael's complaint that was filed on September 15, 2022 and entered as case 2022-034.

I have handled my own campaign finance Contributions and Expenditures for my campaign out of error. I have run for office before and had filed my own campaign finance reporting and inadvertently overlooked the section regarding this practice being prohibited for judicial candidates.

In consideration of this complaint and being informed of my error. I have made the following corrections:

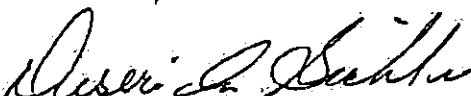
Terri Greenlee has been appointed Treasurer for my campaign.

Terri has been put onto the campaign checking account and she has been registered with Secretary of State as my Treasurer.

References to Russell Schmidt being my campaign treasurer have been removed from all digital forms of advertising and all new printed materials. Currently stickers are on order to cover signs that reference Mr. Schmidt and correct the Treasurer name to Terri Greenlee.

I am available for any questions you may have.

Thank you.

  
Deseri A. Sichler



## **STATE ETHICS COMMISSION**

Walker Boyd, General Counsel  
800 Bradbury Drive Southeast, Suite 215  
Albuquerque, NM 87106  
505.554.7196 | [walker.boyd@state.nm.us](mailto:walker.boyd@state.nm.us)

Hon. William F. Lang (Chair)  
Jeffrey L. Baker  
Stuart M. Bluestone  
Hon. Garrey Carutbera  
Hon. Celia Foy Castillo  
Ronald Solomon  
Dr. Judy Villanueva

Jeremy D. Farris, Executive  
Director

November 10, 2022

Deseri Sichler  
1 Hammond Ct.  
Los Lunas, NM 87031

Via email: [deseri.a.sichler@gmail.com](mailto:deseri.a.sichler@gmail.com)

Re: *Rael v. Sichler*, No. 2022-034: Offer of Settlement

Dear Ms. Sichler:

I am writing to offer to enter into a settlement that will resolve this complaint conditioned on your compliance with the Campaign Reporting Act's provisions governing contributions to judicial candidates.

The complaint alleges you violated Section 1-19-34 of the CRA by failing to maintain a treasurer for your candidate committee and violated Section 1-19-29 of the CRA by filing your candidate committee's reports of expenditures and contributions personally.<sup>1</sup>

In your response to the complaint, you admit the complaint's allegations that you failed to maintain a treasurer and that you personally submitted your campaign's reports of contributions and expenditures.<sup>2</sup> You explain that you had previously been a candidate for a different position (it appears you sought the office of county treasurer in 2020), and that you had acted as that campaign's treasurer.<sup>3</sup> You state that you "inadvertently overlooked the section regarding this practice being prohibited for judicial candidates."<sup>4</sup>

The Commission's general counsel is authorized to enter into a settlement agreement with a respondent to an administrative complaint, subject to Commission approval.<sup>5</sup> Because you have accepted responsibility for your violations of the Campaign Reporting Act, have taken steps to correct those violations, and because the State Ethics Commission is under an obligation to "at all times seek to ensure voluntary compliance with the provisions of the Campaign

---

<sup>1</sup> *Id.*

<sup>2</sup> See Response (#4) (Oct. 4, 2022).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> NMSA 1978, § 10-16G-10(F) (2021); 1.8.3.13(C) NMAC.

*Rael v. Sichler*, 2022-034: Settlement offer  
November 10, 2022  
Page 2 of 3

Reporting Act,”<sup>6</sup> I believe a settlement is in the best interests of the Commission in this case. Accordingly, and pursuant to Rule 11-408 NMRA (incorporated and applicable to State Ethics Commission proceedings under NMSA 1978, Section 10-16G-12(C) (2019)), I offer to settle this matter on the following terms:

1. Within 30 days of the date that the results of your election are certified, you dispose of your campaign’s contributions (net of campaign expenses) as required by the Campaign Reporting Act and the Code of Judicial Conduct by either instructing your treasurer to refund all contributions received; giving your contributions to a 501(c)(3) charity; or giving your contributions to the state’s general fund. *See* NMSA 1978, § 1-19-29.1(B); *see also* Rule 21-404(B) NMRA (“A candidate for judicial office . . . who has unused campaign funds remaining after election, and after all expenses of the campaign and election have been paid, shall refund the remaining funds pro rata to the campaign contributors, or donate the funds to a charitable organization, or to the State of New Mexico, as the candidate may choose, within thirty (30) days after the date the election results are certified.”).
2. You provide the State Ethics Commission a copy of your Fourth General Report of contributions and expenditures demonstrating your compliance with the terms of this settlement agreement.

If you accept the terms of this settlement offer, please sign a copy of this letter and return it to me. If the Commission approves this settlement agreement you comply with your obligations under the agreement, the Commission will enter an order dismissing the complaint. Please note that if you accept this settlement agreement and the Commission approves it, the complaint and this settlement agreement would be public records. *See* NMSA 1978, §§ 10-16G-10(F), 10-16G-12(F) (2019).

Please confirm whether this offer of settlement is acceptable on or before November 25, 2022.

Very truly yours,



Walker Boyd

---

<sup>6</sup> *See* NMSA 1978, § 1-19-34.4(D) (2021).

*Rael v. Sichler*, 2022-034: Settlement offer  
November 10, 2022  
Page 3 of 3

I ACCEPT:

  
DESERI SICHLER

DATE: *November 10, 2022*