


Joey D. Moya

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

2 **October 11, 2017**

3 **NO. S-1-SC-36686**

4 **INQUIRY CONCERNING A JUDGE**
5 **NOS. 2017-138 and 2017-139**

6
7 **IN THE MATTER OF**
8 **PAMELA D. SMITH,**
9 **Probate Judge,**
10 **Sierra County, New Mexico**

11
12 **ORDER**

13 WHEREAS, this matter came on for consideration by the Court upon the
14 Judicial Standards Commission's motion to accept stipulation to permanent
15 resignation from judicial office in lieu of further disciplinary proceedings and oral
16 arguments of the parties on October 11, 2017;

17 WHEREAS, recognizing that the ability to protect the Domingo heirs
18 through further disciplinary proceedings is impaired by the ongoing criminal
19 investigation and IRS involvement, the Court has determined that acceptance of
20 the stipulation is in the best interests of the judiciary and the public; and

21 WHEREAS, in light of the foregoing, and the Court having considered the
22 motion, stipulation, and arguments of the parties, Justice Petra Jimenez Maes,
23 Justice Edward L. Chávez, and Justice Charles W. Daniels concurring; Justice
24 Barbara J. Vigil dissenting; and Chief Justice Judith K. Nakamura not

1 participating;

2 NOW, THEREFORE, IT IS ORDERED that the motion to accept
3 stipulation to permanent resignation from judicial office in lieu of further
4 disciplinary proceedings is GRANTED and the stipulation to permanent
5 resignation from judicial office in lieu of further disciplinary proceedings is
6 APPROVED;

7 IT IS FURTHER ORDERED that the permanent resignation of respondent,
8 Probate Judge Pamela D. Smith, shall be effective at 5:00 p.m. on October 11,
9 2017;

10 IT IS FURTHER ORDERED that respondent shall submit duplicate original
11 letters of resignation to the Chief Justice of the Supreme Court of New Mexico and
12 the Board of County Commissioners of Sierra County and shall concurrently
13 provide a copy to the Judicial Standards Commission;

14 IT IS FURTHER ORDERED that respondent shall never again hold,
15 become a candidate for, run for, or stand for election to any New Mexico judicial
16 office in the future;

17 IT IS FURTHER ORDERED that respondent shall never seek, accept
18 appointment to, or serve pro tempore for any New Mexico judicial office in the
19 future, which includes the posts of judge in municipal court, probate court,
20 magistrate court, metropolitan court, district court, Court of Appeals, and Justice of

1 the Supreme Court;

2 IT IS FURTHER ORDERED that respondent shall never again hold or
3 exercise any judicial authority in the State of New Mexico, to include officiating at
4 weddings;

5 IT IS FURTHER ORDERED that the Judicial Standards Commission shall
6 provide a copy of the documents filed in this proceeding to family members of the
7 decedent, Dominic Domingo, and to the district judge presiding over the probate
8 proceeding transferred to the district court in cause numbered D-721-PB-2017-
9 00029;

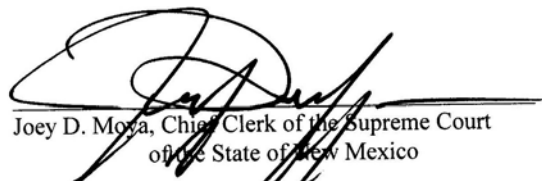
10 IT IS FURTHER ORDERED that the Clerk of this Court shall provide a
11 copy of the documents filed in this proceeding to the Seventh Judicial District
12 Attorney; and

13 IT IS FURTHER ORDERED that all documents filed in this Court in
14 Inquiry Nos. 2017-138 and 2017-139 are UNSEALED pursuant to Rule 27-104(B)
15 NMRA.

16 IT IS SO ORDERED.



WITNESS, the Honorable Judith K. Nakamura,
Chief Justice of the Supreme Court of the State of
New Mexico, and the seal of said Court this 11th
day of October, 2017.


Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico

I CERTIFY AND ATTEST:

A true copy was served on all parties
or their counsel of record on date filed.

Joey D. Moya

Chief Clerk of the Supreme Court
of the State of New Mexico