


Joey D. Moya

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

2 **April 8, 2019**

3 **NO. S-1-SC-37561**

4 **INQUIRY CONCERNING A JUDGE**
5 **JSC Inquiry No. 2018-031**

6 **IN THE MATTER OF**
7 **HON. STEVE GUTHRIE**
8 **Otero County Magistrate Court**

9
10 **ORDER AND PUBLIC CENSURE**

11 WHEREAS, this matter came on for consideration by the Court upon a
12 petition to accept a stipulation agreement and consent to discipline between the
13 Judicial Standards Commission and Respondent, Hon. Steve Guthrie.;

14 WHEREAS, in the stipulation agreement, Respondent admits to the following
15 acts:

16 (1) Respondent and his wife, Kim Guthrie, were next door neighbors with
17 Leticia Coyazo and Ysidro “Chico” Coyazo for many years. In Judge
18 Guthrie’s opinion, the conflict emanated from the Coyazo
19 grandchildren’s bouncing basketballs on the public sidewalk outside
20 the Coyazo home. In the Coyazos’ opinion, the conflict began when
21 Judge Guthrie parked his vehicle in front of the Coyazo home to
22 prevent the Coyazos’ grandchildren from playing basketball. The
23 dispute surfaced episodically and resulted in the Coyazos filing
24 several police reports, and resulted in the Guthries’ decision to
25 permanently move from their residence in October 2018;

26
27 (2) On October 13, 2017 and April 20, 2018, Respondent parked his

1 personal vehicle in front of his next door neighbor Leticia Coyazo's
2 home to prevent Ms. Coyazo's grandchildren from playing basketball;

3
4 (3) On November 15, 2017, Respondent told Leticia Coyazo words to the
5 effect, "If I hear the basketball bounce one more time I am going after
6 Chico's disability." Ysidro "Chico" Coyazo is Leticia Coyazo's
7 husband and a disabled veteran who receives a monthly disability
8 check. Ms. Coyazo considered this a threat and called the
9 Alamogordo Police Department. Alamogordo Police Officer
10 Mauricio Puente responded to the call. Respondent was interviewed
11 and told Officer Puente, "what he meant about going after Ms.
12 Coyazos [sic] retirement was that he was going to report her husband
13 to the authority [sic] because her husband was doing things he is not
14 supposed to be doing while on retirement/disability.";

15
16 (4) On April 20, 2018, Respondent parked his vehicle in front of Leticia
17 Coyazo's home, eleven (11) feet away from a fire hydrant in violation
18 of Alamogordo City Ordinance 12-6-1.1 which requires vehicles to be
19 parked fifteen (15) feet away from a fire hydrant. Alamogordo Police
20 Officer Edgar Soto was dispatched to the Coyazo home, measured the
21 distance between the truck bumper and the fire hydrant which was
22 only eleven (11) feet, and ran the license plate of the vehicle which
23 returned as registered to Respondent. Officer Soto instructed
24 Respondent to move his vehicle and Respondent complied;

25
26 (5) On July 6, 2018, Leticia Coyazo called police officers to file a
27 complaint against Respondent's wife, Kim Guthrie, for spraying water
28 at Ms. Coyazo's video surveillance cameras. While Alamogordo
29 Police Officer Marcelino Esquero was conducting his investigation,
30 he witnessed Respondent mimicking playing a violin and heard
31 Respondent state, "Its [sic] against the law to water on Fridays [sic].";

32
33 (6) A sign was posted on the Guthrie home which read, "All cameras are
34 fake do you think I would spend money to watch you LOL \$\$\$\$
35 LOL." Leticia Coyazo believes the Guthries' sign was in response to
36 Ms. Coyazo's installation of video surveillance cameras outside her
37 home, and subsequent to the Guthries' installation of video

1 surveillance cameras outside their home; and

2
3 (7) Respondent met with Acting Alamogordo Police Chief Roger
4 Schoolcraft at the Alamogordo Police Station, explained his issue
5 with the Coyazos' grandchildren and told Chief Schoolcraft words to
6 the effect that "police officers are not doing enough about the noise.";

7
8 WHEREAS, in the stipulation agreement, Respondent does not contest that
9 the Commission has sufficient facts and evidence to prove by clear and convincing
10 evidence that he engaged in willful misconduct by committing the acts enumerated
11 above, and that he violated the Code of Judicial Conduct Rules 21-101 and 21-102
12 NMRA;

13 WHEREAS, the stipulation agreement provides that Respondent consents to
14 the imposition of a public censure as discipline and to its publication in the New
15 Mexico *Bar Bulletin*; and

16 WHEREAS, in light of the foregoing, and the Court having determined that
17 acceptance of the stipulation agreement and consent to discipline is in the best
18 interests of the judiciary and the public and being sufficiently advised, Chief
19 Justice Judith K. Nakamura, Justice Barbara J. Vigil, Justice Michael E. Vigil,
20 Justice C. Shannon Bacon, and Justice David K. Thomson concurring;

21 NOW, THEREFORE, IT IS ORDERED that the petition is GRANTED and
22 this PUBLIC CENSURE is issued to Respondent, Hon. Steve Guthrie.; and

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IT IS FURTHER ORDER that this matter is UNSEALED under Rule 27-

2

104(B) NMRA.

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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 8th day of April, 2019.

 A handwritten signature in black ink, appearing to read "Joey D. Moya", is written over a horizontal line. Below the signature, the text "Joey D. Moya, Chief Clerk of the Supreme Court of the State of New Mexico" is printed.

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

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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