

ORIGINAL

IN THE SUPREME COURT  
OF THE STATE OF NEW MEXICO

No.

S-1-SC-35548

IN THE MATTER OF HON. LUIS QUINTANA  
Corrales Municipal Court, Corrales, New Mexico

INQUIRY CONCERNING HON. LUIS QUINTANA  
JSC Inquiry No. 2015-126

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

VERIFIED PETITION FOR IMMEDIATE TEMPORARY SUSPENSION

JUDICIAL STANDARDS COMMISSION  
Post Office Box 27248  
Albuquerque, NM 87125-7248  
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4324 Corrales Rd.  
Corrales, New Mexico 87048  
TEL (505) 897-0503  
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*Respondent*

SUPREME COURT OF NEW MEXICO  
FILED

OCT - 6 2015



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OF THE STATE OF NEW MEXICO

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IN THE MATTER OF HON. LUIS QUINTANA  
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JSC Inquiry No. 2015-126

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

**VERIFIED PETITION FOR IMMEDIATE TEMPORARY  
SUSPENSION**

The Judicial Standards Commission of the State of New Mexico (“Petitioner”), through the undersigned counsel, hereby petitions under seal pursuant to Rule 27-104(B) NMRA the New Mexico Supreme Court for an order that immediately and temporarily suspends Hon. Luis Quintana, (“Respondent”) from judicial office pending resolution of Petitioner Judicial Standards Commission’s proceedings. The Commission hereby requests, pursuant to Rule 27-

104(B) NMRA, that the Supreme Court's file in this matter, including this Petition and all Responses thereto, be unsealed upon an Order of the Court. As grounds for this verified petition, Petitioner states:

1. Petitioner invokes its jurisdiction and files this *Verified Petition for Immediate Temporary Suspension* 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 Supreme Court's power of superintending control under N.M. Const. art. VI, §3; Rule 27-201(A)(4)(a) NMRA 1996 of the Rules Governing Review of the Judicial Standards Commission Proceedings; and, Rule 32(A)(4)(a) NMRA 2010 of the Judicial Standards Commission Rules.

2. The Respondent, Hon. Luis Quintana, is a municipal court judge in Corrales, New Mexico. Upon information and belief, he has been in office since 2012.

3. Respondent's alleged acts may demonstrate that Respondent lacks the honesty, character and fitness required to hold judicial office, may constitute willful misconduct in office, and/or

persistent failure or inability to perform judicial duties as set forth in Article VI, §32 of the New Mexico Constitution.

4. The alleged acts are set forth in the Commission's *Notice of Preliminary Investigation* attached hereto as Exhibit 1, and are as follows:

A. It has been alleged that while serving as a municipal court judge you knowingly made a false statement of material fact in connection with a Disciplinary Board matter regarding placement of funds in a trust account.

B. It has been alleged that while serving as a municipal court judge you failed to give full cooperation and assistance to Disciplinary Board counsel by failing to comply with rules or orders of the Disciplinary Board.

C. It has been alleged that you failed to comply with the Supreme Court's order dated March 23, 2015 to file a timely response to the Disciplinary Board's recommendation.

D. It has been alleged that you misappropriated a client's Workers' Compensation settlement funds and converted those funds for use other than to benefit the client, and have failed to make full restitution to the client as ordered.

5. Petitioner is conducting an investigation into Respondent's conduct.

6. Petitioner requests that the Supreme Court issue an order immediately and temporarily suspending Respondent from judicial office. As such, this Court would control the time, terms, and conditions of Respondent's return to official duties.

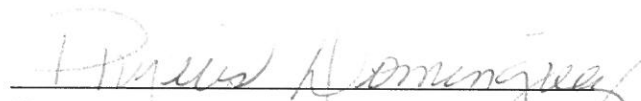
7. Petitioner certifies that Respondent's immediate temporary suspension from judicial office is necessary pending resolution of the Petitioner Judicial Standards Commission's proceedings. Petitioner's Certificate to this Supreme Court is attached hereto as Exhibit 2. Petitioner defers to this Supreme Court as to whether Respondent's temporary suspension shall be with or without pay.

WHEREFORE, Petitioner prays for an Order from the Court that immediately and temporarily suspends Respondent Hon. Luis Quintana from judicial office pending completion of Petitioner's proceedings. Respondent further requests that the Supreme Court's

file in this matter be unsealed pursuant to Rule 27-104(B) NMRA.

Respectfully Submitted,

JUDICIAL STANDARDS COMMISSION

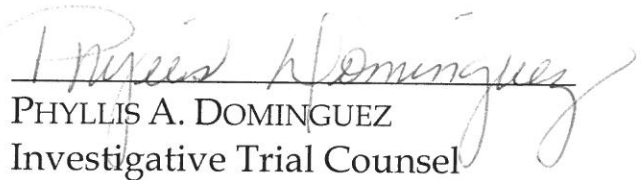
  
\_\_\_\_\_  
RANDALL D. ROYBAL  
*Executive Director & General Counsel*

PHYLLIS A. DOMINGUEZ  
*Investigative Trial Counsel*  
Post Office Box 27248  
Albuquerque, NM 87125-7248  
(505) 222-9453

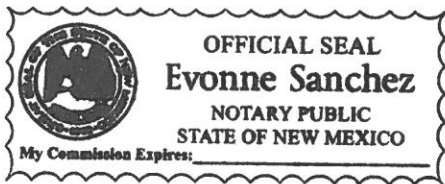
VERIFICATION

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO) ss.

I, Phyllis A. Dominguez, having been duly sworn, do hereby state that I have read and understand the Petition and that the statements contained in the Petition are correct and true to the best of my knowledge.

  
PHYLLIS A. DOMINGUEZ  
Investigative Trial Counsel

SUBSCRIBED AND SWORN TO before me by Phyllis A. Dominguez,  
this 6th day of October 2015.



  
Notary Public

My Commission expires: 10/17/19

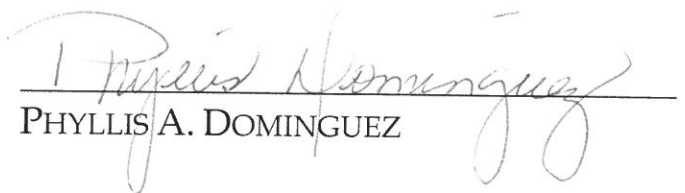


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed via certified mail, return receipt requested, on this 6<sup>th</sup> day of October 2015 to the Respondent as follows:

Hon. Luis Quintana  
Corrales Municipal Court  
4324 Corrales Rd.  
Corrales, New Mexico 87048

I FURTHER CERTIFY that attempts will be made to have a true and correct copy of the *Petition* promptly and personally served upon the Respondent.

  
PHYLLIS A. DOMINGUEZ



STATE OF NEW MEXICO  
JUDICIAL STANDARDS COMMISSION

POST OFFICE BOX 27248  
ALBUQUERQUE, NEW MEXICO 87125-7248  
(505) 222-9353  
WWW.NMJSC.ORG

RANDALL D. ROYBAL  
*Executive Director & General Counsel*

PHYLLIS A. DOMINGUEZ  
*Investigative Trial Counsel*

DEBORAH BORIO  
*Investigative Trial Counsel*

October 6, 2015

CONFIDENTIAL  
CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Hon. Luis Quintana  
Corrales Municipal Court  
4324 Corrales Rd.  
Corrales, New Mexico 87048

Re: *Notice of Preliminary Investigation*  
Inquiry No. 2015-126

**FILED**  
OCT 06 2015   
**NM JUDICIAL  
STANDARDS COMMISSION**

Dear Judge Quintana:

The above-referenced matter came before the Judicial Standards Commission on either a verified complaint or the Commission's own motion. You were disbarred on May 11, 2015 by order of the New Mexico Supreme Court for multiple violations of the Rules of Professional Conduct which happened prior to you becoming a judge and while you served as a judge.

As part of a preliminary investigation pursuant to Rule 14(F) of the Judicial Standards Commission Rules (NMRA 2010), the Commission requires that you provide a written explanation as to the matter(s) discussed below.

1. It has been alleged that while serving as a municipal court judge you knowingly made a false statement of material fact in connection with a Disciplinary Board matter regarding placement of funds in a trust account.
2. It has been alleged that while serving as a municipal court judge you failed to give full cooperation and assistance to Disciplinary Board counsel by failing to comply with rules or orders of the Disciplinary Board.
3. It has been alleged that you failed to comply with the Supreme Court's order dated March 23, 2015 to file a timely response to the Disciplinary Board's recommendation.
4. It has been alleged that you misappropriated a client's Workers' Compensation settlement funds and converted those funds for use other than to benefit the client, and have failed to make full restitution to the client as ordered.

EXHIBIT

1

Hon. Luis Quintana  
October 6, 2015  
Page 2

Please provide the Commission with an explanation of these incidences and the factual and legal bases for your conduct. Your response to this letter must be submitted in writing and must include an explanation and disclosure of all pertinent facts, including any relevant documents regarding the matters outlined herein. The Commission must receive your response within twenty-one (21) days of your receipt of this letter.

Sincerely yours,



Joyce Bustos  
Chair

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed on the 6<sup>th</sup> day of October 2015, by certified mail, return receipt requested to:

Hon. Luis Quintana  
Corrales Municipal Court  
4324 Corrales Rd.  
Corrales, New Mexico 87048



SHARIESSE T. MCCANNON  
CLERK OF THE COMMISSION

BEFORE THE JUDICIAL STANDARDS COMMISSION  
FOR THE STATE OF NEW MEXICO

**FILED**

OCT 06 2015 

**NM JUDICIAL  
STANDARDS COMMISSION**

IN THE MATTER OF HON. LUIS QUINTANA  
Corrales Municipal Court, Corrales, New Mexico  
Inquiry No. 2015-126

CERTIFICATE OF JUDICIAL STANDARDS COMMISSION

The Judicial Standards Commission of the State of New Mexico ("Commission") hereby certifies in accordance with Rule 32(A)(4)(a) NMRA 2010 of the Judicial Standards Commission's Rules and Rule 27-201(A)(4)(a) NMRA 1996 of the Rules Governing Review of the Judicial Standards Commission Proceedings, that immediate temporary suspension of Hon. Luis Quintana, Corrales Municipal Court Judge ("Respondent") is necessary pending completion of Judicial Standards Commission proceedings against Respondent for numerous alleged violations of the Code of Judicial Conduct as set forth in the Commission's *Notice of Preliminary Investigation* (attached as Exhibit A to the *Verified Petition for Immediate Temporary Suspension*).

The Commission notes that it is presently investigating allegations that Respondent has committed acts that may constitute willful misconduct in office by, knowingly making a false statement of material fact in connection with a Disciplinary Board matter regarding placement of funds in a trust account, failing to give full cooperation and assistance to Disciplinary Board counsel by failing to comply with rules or orders of the Disciplinary Board, failing to comply with the Supreme Court's order to file a timely response to the Disciplinary Board's recommendation, and

misappropriating a client's Workers' Compensation settlement funds and converting those funds for use other than to benefit the client, and failing to make full restitution to the client as ordered. The acts alleged are set forth fully in the Commission's *Notice of Preliminary Investigation*.


Respondent's continued service in a judicial capacity while he is being investigated by the Commission on multiple allegations of misconduct, some of which go to the very core of what personal qualities and characteristics are required to be a judge, would create a significant appearance of impropriety and erosion of public confidence in the integrity and impartiality of the judiciary and in the orderly administration of justice.

Based on the foregoing, the Commission has determined that continued judicial service by the Respondent is causing immediate and substantial public harm, an appearance of impropriety, and erosion of public confidence in the integrity, independence and impartiality of the judiciary, and orderly administration of justice.

Certified by:

JUDICIAL STANDARDS COMMISSION


By \_\_\_\_\_

  
JOYCE BUSTOS, Chair  
Post Office Box 27248  
Albuquerque, NM 87125-7248  
(505) 222-9353

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was sent by first class mail on this 6<sup>th</sup> day of October 2015 to Respondent:

Hon. Luis Quintana  
Corrales Municipal Court  
4324 Corrales Rd.  
Corrales, New Mexico 87048

  
Shariesse T. McCannon  
Clerk of the Commission