

1 acts were committed by you and warrant disciplinary action by
2 the Commission under the Nevada Code of Judicial Conduct.

3 COUNT ONE

4 1. That Rebeccah Murray (hereinafter "Rebeccah") was
5 born March 11, 1978.

6 2. That Rebeccah's mother is Imogene Serrano
7 (hereinafter "Imogene").

8 3. That sometime in 1988 Imogene began working with you
9 in a law firm and also began a romantic relationship with you.
10

11 4. That in the summer of 1989 or thereabouts, you
12 Imogene and Rebeccah moved together to Pahrump, Nevada where
13 you became employed with the District Attorney's Office. That
14 Genie continued to be employed in Las Vegas, so a great deal of
15 the time you spent with Rebeccah.

16 5. That some time in 1990 you, Imogene and Rebeccah
17 moved back to Las Vegas; that you opened a law practice there;
18 that Imogene worked for you; that you had financial control
19 over Imogene; that you began taking Rebeccah shopping for
20 clothes on the condition that she model them for you.
21

22 6. That in the autumn of 1991 you and Imogene got
23 married; that the marriage lasted less than a year; that
24 Imogene and you continued in a relationship after the divorce
25 was finalized.

26 7. That in 1992 Rebeccah began dating an 18 year-old
27 young man; that she was seeing him without her mother's
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1 knowledge or approval; that you became aware of the
2 relationship and said you would keep it a secret; that,
3 thereafter, when Rebeccah and you were home alone, you
4 approached her wearing only a towel; that you said you had "a
5 raging hard-on"; that you put your hand in her hair and told
6 her you could make it easier for her to see her boyfriend.

7
8 8. That soon thereafter Imogene became aware of the
9 relationship between Rebeccah and the eighteen year-old and
10 threatened to report the young man for statutory rape; that you
11 sided with Rebeccah in talking Imogene out of reporting him.

12 9. That Imogene forbade Rebeccah from seeing the young
13 man; that the relationship between Rebeccah and Imogene
14 deteriorated; that you acted as Rebeccah's friend, helping her
15 to see her boyfriend on occasion without Imogene knowing.

16 10. That because the relationship between Rebeccah and
17 her mother became so strained, Rebeccah decided to move and
18 live with her biological father; that prior to her doing so,
19 you made Rebeccah perform fellatio on you; that Rebeccah was
20 approximately fourteen (14) years of age at that time.

21 11. That between 1993 and 1995 Rebeccah lived with her
22 father; that initially she had little direct contact with her
23 mother; that you kept Rebeccah apprised of her mother's
24 situation; that you were providing financial assistance to
25 Imogene; that you told Rebeccah that you were going to
26 discontinue your financial assistance to Imogene but said you
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1 would continue assisting her if Rebeccah would perform nude
2 modeling sessions for you, which she did.

3 12. That, in addition, while Rebeccah was between ages
4 fourteen (14) and sixteen (16), you took nude photographs of
5 her.

6 13. That Rebeccah worked for you in your law office after
7 school after she turned sixteen (16).

8 14. That Rebeccah graduated from high school in May, 1995
9 and moved back in with Imogene; that she began attending UNLV
10 and working for another attorney.

11 15. That sometime between 1995 and her graduation from
12 college in 2000, you approached Rebeccah and apologized to her
13 for forcing a sexual relationship on her.

14 16. That in 2000 you were first elected to the District
15 Court bench, Family Court, Department K. That you and Rebeccah
16 discussed her coming to work for you as your Judicial Executive
17 Assistant (hereinafter "JEA"); that you decided you needed
18 someone with more experience; that after two JEAs proved
19 unacceptable to you, you hired Rebeccah as your JEA in May,
20 2002.

21 17. That you advised Rebeccah you needed her to work on
22 your re-election campaign, for the election in autumn, 2002,
23 which she began to do immediately.

24 18. That you were re-elected in November, 2002; that in
25 early 2003 you advised Rebeccah that your relationship with her
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1 needed to progress to include sexual relations; that you made
2 it clear to her that she had to have sexual relations with you
3 in order to keep her job.

4 19. That you and Rebeccah had sexual relations on an
5 approximately monthly basis beginning in April 2003 and
6 continuing through the end of that year; that Rebeccah did not
7 want to have sexual relations with you and needed to become
8 drunk in order to do so; that you provided the alcohol for her
9 to drink.

10 20. That your actions described herein constitute
11 violations of Canons 1, 2, 2(A) and/or 4(B), or any combination
12 thereof, of the Nevada Code of Judicial Conduct.

13 COUNT TWO

14 21. That the allegations in paragraphs 1 through 19 are
15 incorporated herein by reference as though fully set forth
16 herein.

17 22. That in autumn, 2003 Rebeccah began attending law
18 school at the Boyd School of Law in Las Vegas; that you
19 approached Chief Judge Kathy Hardcastle, asking if it was
20 permissible to allow JEAs to work a flexible schedule to
21 accommodate Rebeccah's law school schedule; that Judge
22 Hardcastle advised you that a flex schedule was not
23 permissible; that despite that directive you permitted Rebeccah
24 to work a flex schedule and attend law school classes during
25 the day in exchange for her having sexual relations with you.
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1 threatened to expose the nude pictures you had taken of her;
2 that she advised you that she would proceed because you had her
3 backed into a corner and she had nothing to lose; that,
4 thereafter, you did stop pressuring her and creating a
5 retaliatory negative workplace for some period of time.

6 28. That your actions described herein constitute
7 violations of Canons 1, 2, 2(A), 2(B) and/or 4(A), or any
8 combination thereof, of the Nevada Code of Judicial Conduct.
9

10 COUNT FOUR

11 29. That the allegations in paragraphs 1 through 19, 22,
12 and 25 through 27 are incorporated herein by reference as
13 though fully set forth herein.

14 30. That in March 2006 or thereabout, you again
15 approached Rebecca about resuming a sexual relationship with
16 her.

17 31. That your actions described herein constitute
18 violations of Canons 1, 2, 2(A), and/or 4(A), or any
19 combination thereof, of the Nevada Code of Judicial Conduct.
20

21 COUNT FIVE

22 32. That the allegations in paragraphs 1 through 19, 22,
23 25 through 27 and 30 are incorporated herein by reference as
24 though fully set forth herein.

25 33. That Rebecca refused to reinstate the sexual
26 relationship with you; that thereafter you retaliated against
27 her by creating a negative, hostile work environment for her;
28

1 that you delayed action on her pay raise, that you refused to
2 communicate with her; that you were rude and impolite to her;
3 that you threatened to terminate her as your JEA and that you
4 refused to follow through on the plan to hire her as your law
5 clerk.

6 34. That your actions described herein constitute
7 violations of Canons 1, 2, 2(A), 2(B), 3(C)1 and/or 4(A), or
8 any combination thereof, of the Nevada Code of Judicial
9 Conduct.

10
11 COUNT SIX

12 35. That the allegations in paragraphs 1 through 19, 22,
13 25 through 27, 30 and 33 are incorporated herein by reference
14 as though fully set forth herein.

15 36. That during the sexual encounters with Rebecca
16 described herein, you made audio recordings of those encounters
17 without obtaining her permission.

18 37. That your actions described herein constitute
19 violations of Canons 1, 2, 2(A) and/or 4(A), or any combination
20 thereof, of the Nevada Code of Judicial Conduct.

21
22 COUNT SEVEN

23 38. That the allegations in paragraphs 1 through 19, 22,
24 25 through 27, 30, 33 and 36 are incorporated herein by
25 reference as though fully set forth herein.

1 39. That during the time of the sexual encounters
2 described herein while Rebeccah was your JEA you regularly paid
3 her at or around the times of those encounters.

4 40. That your actions described herein constitute
5 violations of Canons 1, 2, 2(A) and/or 4(A), or any combination
6 thereof, of the Nevada Code of Judicial Conduct.

7 COUNT EIGHT

8 41. That the allegations in paragraphs 1 through 19, 22,
9 25 through 27, 30, 33, 36 and 39 are incorporated herein by
10 reference as though fully set forth herein.

11 42. That on those days when you and Rebeccah met to have
12 sexual relations, you arranged the times and the locations;
13 that these encounters occurred during the work day during
14 working hours; that Rebeccah was paid for these times as though
15 she were at work; that you did not require that Rebeccah make
16 up the time or use accrued leave time or take unpaid leave time
17 on these occasions when she met you during working hours for
18 sexual encounters.

19 43. That your actions described herein constitute
20 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
21 4(A), or any combination thereof, of the Nevada Code of
22 Judicial Conduct.

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COUNT NINE

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2 44. That the allegations in paragraphs 1 through 19, 22,
3 25 through 27, 30, 33, 36, 39 and 42 are incorporated herein by
4 reference as though fully set forth herein.

5 45. That the pictures you took of Rebeccah while she was
6 a minor, when you had her pose in various states of undress,
7 you retained after you had taken judicial office.

8 46. That your actions described herein constitute
9 violations of Canons 1, 2, 2(A), 2(B) and/or 4(A), or any
10 combination thereof, of the Nevada Code of Judicial Conduct.

COUNT TEN

11 47. That the allegations in paragraphs 1 through 19, 22,
12 25 through 27, 30, 33, 36, 39, 42 and 45 are incorporated
13 herein by reference as though fully set forth herein

14 48. That you possessed the photographs referred to in
15 Count Nine herein after the Office of Diversity began its
16 investigation into Rebeccah's complaint against you; that you
17 offered them to the investigators with the Office of Diversity;
18 that at that time you indicated your awareness that an
19 investigation into your conduct by the Nevada Commission on
20 Judicial Discipline might well ensue; that some time
21 thereafter, either before or after you were advised of the
22 investigation by the Judicial Discipline Commission you
23 destroyed those photographs.
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1 49. That your actions described herein constitute
2 violations of Canons 1, 2, 2(A), 2B) and/or 4(A), or any
3 combination thereof, of the Nevada Code of Judicial Conduct.

4 COUNT ELEVEN

5 50. That the allegations in paragraphs 1 through 19, 22,
6 25 through 27, 30, 33, 36, 39, 42, 45 and 48 are incorporated
7 herein by reference as though fully set forth herein.

8 51. That in approximately 2003 or thereabouts, Patti
9 Camarote was assigned to act as your court clerk; that after
10 she had worked in your courtroom for approximately two months
11 you told her you felt comfortable enough with her to say
12 anything you wanted; that after approximately six months of her
13 being assigned to your courtroom you advised her to take your
14 law clerk, Michael Bognar, out and "make a man out of him" or
15 words to that effect, meaning she should have sexual relations
16 with him.

17 52. That your actions described herein constitute
18 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
19 4A, or any combination thereof, of the Nevada Code of Judicial
20 Conduct.

21 COUNT TWELVE

22 53. That the allegations in paragraphs 1 through 19, 22,
23 25 through 27, 30, 33, 36, 39, 42, 45, 48 and 51 are
24 incorporated herein by reference as though fully set forth
25 herein.

1 54. That during the time Patti Camarote was assigned as
2 your court clerk you told her on at least one occasion that she
3 "needed to get laid" or words to that effect.

4 55. That your actions described herein constitute
5 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1) and/or 4(A), or
6 any combination thereof, of the Nevada Code of Judicial
7 Conduct.

8 COUNT THIRTEEN

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10 56. That the allegations in paragraphs 1 through 19, 22,
11 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51 and 54 are
12 incorporated herein by reference as though fully set forth
13 herein.

14 57. That Wendy Cox became employed as your JEA in
15 approximately July, 2002, while you were running for
16 reelection; that after she began working for you, you told her
17 to date certain attorneys, to go out to lunch or dinner with
18 them, because you could tell they were interested in her and
19 she could thereby solicit and obtain campaign contributions for
20 your campaign; that you stressed to her that she should dress
21 nice which she understood to mean seductively.

22
23 58. That your actions described herein constitute
24 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
25 4(A), or any combination thereof, of the Nevada Code of
26 Judicial conduct.

27 ///

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COUNT FOURTEEN

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59. That the allegations in paragraphs 1 through 19, 22, 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54 and 57 are incorporated herein by reference as though fully set forth herein.

60. That your actions described herein constitute violations of Canons 5(A)(3)(a) and/or 5(A)(3)(b) of the Nevada Code of Judicial Conduct.

COUNT FIFTEEN

61. That the allegations in paragraphs 1 through 19, 22, 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54 and 57 are incorporated herein by reference as though fully set forth herein.

62. That from 1999 until mid-2006 or thereabouts Richard Tamez was employed as your courtroom bailiff; that Mr. Tamez is of Mexican heritage; that during the period of Mr. Tamez's employment in your court you made inappropriate, racially related remarks to and about Mr. Tamez and others, including but not limited to the following:

(a) by stating, "Where is my lazy Mexican bailiff? He's probably asleep under his chair" or words to that effect.

(b) by telling Mr. Tamez that he would not have a job as a bailiff but for the fact that he speaks Spanish.

1 (c) by stating to Mr. Tamez, "Richard, you're just
2 getting as bad as those low-down Latinos that walk in the
3 courtroom" or words to that effect.

4 (d) by referring to Mexicans as "wetbacks".

5 (e) by referring to Mr. Tamez as a "fucking prick."

6 63. That your actions described herein constitute
7 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
8 4(A), or any combination thereof, of the Nevada Code of
9 Judicial Conduct.
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11 COUNT SIXTEEN

12 64. That the allegations in paragraphs 1 through 19, 22,
13 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57 and 62
14 are incorporated herein by reference as though fully set forth
15 herein.

16 65. That in approximately July, 2006 when Mr. Tamez was
17 out on Family Medical Leave due to injuries, you contacted him
18 directly and then had then-Chief Judge Jones contact him,
19 directing Mr. Tamez to resign immediately so that you could
20 hire a different bailiff.
21

22 66. That your actions described herein constitute
23 violations of Canons 1,2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
24 4(A), or any combination thereof, of the Nevada Code of
25 Judicial Conduct.

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COUNT SEVENTEEN

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2 67. That the allegations in paragraphs 1 through 19, 22,
3 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62 and
4 65 are incorporated herein by reference as though fully set
5 forth herein.

6 68. That sometime in the latter part of 2005 or
7 thereabouts, Imogene Serrano became employed as a law clerk for
8 Judge Sanchez, a District Court Judge in the Family Division of
9 the Eighth Judicial District in Clark County, Nevada; that
10 Judge Sanchez is one of your colleagues in the Family Division;
11 that during the course of Imogene's employment as a law clerk,
12 you made inappropriate and/or sexually suggestive remarks to
13 Imogene and about Imogene to others or in their presence,
14 including but not limited to the following:
15

16 (a) discussing the sexual history between you and
17 Imogene, including stating that she gave "good head" or words
18 to that effect.

19 (b) referring to Imogene as a "fucking cunt" or
20 words to that effect.

21 (c) by trying to reinitiate a sexual relationship
22 with Imogene while she was employed by the Family Court.

23 69. That your actions described herein constitute
24 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
25 4(A), or any combination thereof, of the Nevada Code of
26 Judicial Conduct.
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COUNT EIGHTEEN

1
2 70. That the allegations in paragraphs 1 through 19, 22,
3 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65
4 and 68 are incorporated herein by reference as though fully set
5 forth herein.

6 71. That Michael Bognar was employed from December, 2000
7 through the end of 2005 as a law clerk in your department; that
8 during the course of his employment with you, you made public
9 and derogatory remarks about him, including but not limited to
10 stating to others that he had not passed the Nevada State Bar
11 examination.

12 72. That after Mr. Bognar passed the Nevada State Bar
13 examination he sought advice from you about his possible career
14 directions after leaving employment as a law clerk; that when
15 he did not follow your advice, you threatened to fire him prior
16 to December, 2005, knowing he wished to stay through that time
17 so as to vest with the retirement system.

18 73. That your actions described herein constitute
19 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1) and/or 4(A), or
20 any combination thereof, of the Nevada Code of Judicial
21 Conduct.
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23

COUNT NINETEEN

24 74. That the allegations in paragraphs 1 through 19, 22,
25 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
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1 68, 71 and 72 are incorporated herein by reference as though
2 fully set forth herein.

3 75. That in May, 2006, Rebeccah filed a complaint with
4 the Clark County Office of Diversity (hereinafter "OOD"); that
5 you were advised of the pendency of the investigation and that
6 you were to have no contact in any form with Rebeccah until the
7 investigation was completed; that contrary to those directives
8 you did the following:

9 (a) You asked Donn Prokopius, Esq., an attorney who
10 frequently appeared in Family Court, including your department,
11 to contact Rebeccah on your behalf;

12 (b) You asked Mr. Prokopius to convey an offer to
13 Rebeccah that she could return to her job as your JEA in
14 exchange for her dropping her dropping her OOD complaint
15 against you;

16 (c) You asked Mr. Prokopius to convey an offer to
17 Rebeccah that you would hire her as your law clerk in exchange
18 for her dropping her OOD complaint against you.

19 76. That your actions described herein violate Canons 1,
20 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or 4(A), or any combination
21 thereof, of the Nevada Code of Judicial Conduct.

22 COUNT TWENTY

23 77. That the allegations in paragraphs 1 through 19, 22,
24 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
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1 68, 71, 72 and 75 are incorporated herein by reference as
2 though fully set forth herein.

3 78. That Beata Funk was employed in the Family Division
4 of the Eighth Judicial District Court from approximately mid-
5 2002 until May, 2005; that she became friends with Rebeccah;
6 that Ms. Funk would appear in your chambers either as part of
7 her official duties or to visit Rebeccah; that you made
8 inappropriate and sexually suggestive remarks about Ms. Funk
9 and to her; that you performed inappropriate and sexually
10 suggestive acts concerning Ms. Funk, including but not limited
11 to the following:

12 (a) by stating that you wanted to have sexual
13 relations with her;

14 (b) by staring at her breasts on multiple occasions;

15 (c) by telling her that you wanted her to wear tight
16 t-shirts while campaigning for you.
17

18 79. That your actions described herein constitute
19 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
20 4(A), or any combination thereof, of the Nevada Code of
21 Judicial Conduct.
22

23 COUNT TWENTY-ONE
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25 80. That the allegations in paragraphs 1 through 19, 22,
26 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
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1 68, 71, 72, 75 and 78 are incorporated herein by reference as
2 though fully set forth herein.

3 81. That Michelle Hauser is an attorney who occasionally
4 appeared in your courtroom/chambers on business during the time
5 Rebeccah was employed as your JEA; that you on more than one
6 occasion stated to Rebeccah in a sexual reference to Ms. Hauser
7 "If you put a bag over her head, that she was doable," or words
8 to that effect.

9
10 82. That your actions as described herein constitute
11 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
12 4(A), or any combination thereof, of the Nevada Code of
13 Judicial Conduct.

14 COUNT TWENTY-TWO

15
16 83. That the allegations in paragraphs 1 through 19, 22,
17 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
18 68, 71, 72, 75, 78 and 81 are incorporated herein by reference
19 as though fully set forth herein.

20
21 84. That Meredith Simmons was employed as a law clerk to
22 Family Court Judge Gerald Hardcastle after she graduated from
23 law school; that she was also an extern in your department one
24 year during law school; that during the time of her employment
25 in the Family Court Division of the Eighth Judicial District
26 Court you made comments of a sexual nature to her about her
27
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1 and/or other females, including Patsy Ross, your former female
2 law clerk.

3 85. That your actions as described herein constitute
4 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
5 4(A), or any combination thereof, of the Nevada Code of
6 Judicial Conduct.

7 COUNT TWENTY-THREE

8 86. That the allegations in paragraphs 1 through 19, 22,
9 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
10 68, 71, 72, 75, 78, 81 and 84 are incorporated herein by
11 reference as though fully set forth herein.

12 87. That while Rebeccah was employed as your JEA, Ladeena
13 Gamble, an African-American female was employed in the Family
14 Mediation Center of the Family Court Division of the Eighth
15 Judicial District Court; that you made comments to Rebeccah
16 while referring to the speech of Ms. Gamble and while making
17 fun of her, stating "My shit be educated" or words to that
18 effect.
19

20 88. That your actions as described herein constitute
21 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
22 4(A), or any combination thereof, of the Nevada Code of
23 Judicial Conduct.
24

25 COUNT TWENTY-FOUR

26 89. That the allegations in paragraphs 1 through 19, 22,
27 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
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1 68, 71, 72, 75, 78, 81, 84 and 87 are incorporated herein by
2 reference as though fully set forth herein.

3 90. That Natalie Smalling is an African-American female
4 who served as a law clerk to Family Court Judge Cheryl Moss;
5 that during the time she was so employed you made statements to
6 your bailiff, Richard Tamez, in reference to Ms. Smalling,
7 stating "I've never had black pussy. But that one I would love
8 to eat her and fuck her," or words to that effect.

9
10 91. That your actions as described herein constitute
11 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
12 4(A), or any combination thereof, of the Nevada Code of
13 Judicial Conduct.

14 COUNT TWENTY-FIVE

15 92. That the allegations in paragraphs 1 through 19, 22,
16 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
17 68, 71, 72, 75, 78, 81, 84, 87 and 90 are incorporated herein
18 by reference as though fully set forth herein.

19
20 93. That you understood that Wendy Cox had a romantic
21 relationship with Mr. Steve Compan, a Family Court Hearing
22 Master, while she was employed as your JEA; that you told
23 Rebeccah that Ms. Cox should have been sleeping with you and
24 not with Mr. Compan.

25 94. That your actions as described herein constitute
26 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
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1 4(A), or any combination thereof, of the Nevada Code of
2 Judicial Conduct.

3 COUNT TWENTY-SIX

4 95. That the allegations in paragraphs 1 through 19, 22,
5 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
6 68, 71, 72, 75, 78, 81, 84, 87, 90 and 93 are incorporated
7 herein by reference as though fully set forth herein.

8 96. That Wilma Sawtelle was employed as your court clerk
9 from March 2002 until she retired in November, 2006; that
10 during that time you made sexually suggestive remarks in her
11 presence with regard to female litigants and/or attorneys,
12 including but not limited to the following:

13 (a) "Boy, how would you like to have that to come
14 home to every night" or words to that effect.

15 (b) "I'm in love, go propose for me, Richard"
16 (referring to Mr. Tamez), or words to that effect.

17 (c) "Why don't you go set up a date for me with
18 (referring to Katherine Mazzeo)" or words to that effect.

19 (D) "What she needs is a good man, Richard
20 (referring to Mr. Tamez), why don't you go out and take care of
21 it" or words to that effect.

22 97. That your actions as described herein constitute
23 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
24 4(A), or any combination thereof, of the Nevada Code of
25 Judicial Conduct.
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COUNT TWENTY-SEVEN

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2 98. That the allegations in paragraphs 1 through 19, 22,
3 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
4 68, 71, 72, 75, 78, 81, 84, 87, 90, 93 and 96 are incorporated
5 herein by reference as though fully set forth herein.

6 99. That you had a romantic relationship with an Asian
7 woman named Candy Hui during at least some of the period of
8 time that you have been a sitting District Court Judge; that
9 Ms. Hui has a son, also Asian, that on occasion the minor child
10 would come to your chambers; that on occasion you referred to
11 the child to others as a "Nip" or a "Zip" referring to his
12 Asian heritage.
13

14 100. That your actions as described herein constitute
15 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
16 4(A), or any combination thereof, of the Nevada Code of
17 Judicial Conduct.
18

COUNT TWENTY-EIGHT

19 101. That the allegations in paragraphs 1 through 19, 22,
20 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
21 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96 and 99 are
22 incorporated herein by reference as though fully set forth
23 herein.
24

25 102. That during Michael Bogнар's employment as your law
26 clerk, you made derogatory remarks to him about others,
27 including but not limited to the following:
28

1 (a) referring to Jewish people as "Hebrew pricks"

2 (b) referring to black people as "niggers"

3 103. That your actions as described herein constitute
4 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
5 4(A), or any combination thereof, of the Nevada Code of
6 Judicial Conduct.

7 COUNT TWENTY-NINE

8 104. That the allegations in paragraphs 1 through 19, 22,
9 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
10 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99 and 102 are
11 incorporated herein by reference as though fully set forth
12 herein.

13 105. That during Richard Tamez's employment as your
14 bailiff you made sexually suggestive remarks to him about Judge
15 Stefaney Miley, a Family Court Judge in the Eighth Judicial
16 District Court, including but not limited to stating that she
17 "had a fine ass and you wished you could get in there" or words
18 to that effect.

19 106. That your actions as described herein constitute
20 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
21 4(A), or any combination thereof, of the Nevada Code of
22 Judicial Conduct.

23 COUNT THIRTY

24 107. That the allegations in paragraphs 1 through 19, 22,
25 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
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1 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102 and 105 are
2 incorporated herein by reference as though fully set forth
3 herein.

4 108. That during Mr. Tamez's employment as your bailiff,
5 you made derogatory remarks to him about Azucena Zabala; the
6 JEA for Judge Moss, including but not limited to the following:

7 (a) calling her a "fucking bitch" and/or a "cunt"

8 (b) saying she was overweight and posing the
9 question: "who would want to fuck her."
10

11 109. That your actions as described herein constitute
12 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
13 4(A), or any combination thereof, of the Nevada Code of
14 Judicial Conduct.

15 COUNT THIRTY-ONE

16 110. That the allegations in paragraphs 1 through 19, 22,
17 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
18 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105 and
19 108 are incorporated herein by reference as though fully set
20 forth herein.

21 111. That Susan Terry, Esq. is a female attorney who
22 practices in the Family Court Division of the Eighth Judicial
23 District Court; that you have made comments about her breasts
24 to others including Richard Tamez.
25

26 112. That your actions as described herein constitute
27 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
28

1 4(A), or any combination thereof, of the Nevada Code of
2 Judicial Conduct.

3 COUNT THIRTY-TWO

4 113. That the allegations in paragraphs 1 through 19, 22,
5 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
6 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108
7 and 111 are incorporated herein by reference as though fully
8 set forth herein.

9 114. That during Mr. Tamez's employment as your bailiff,
10 you called Jennifer Abrams, Esq., an attorney appearing in your
11 courtroom, to the bench, introduced yourself to her and asked
12 her to lunch, that, thereafter you repeatedly asked Ms. Abrams
13 to lunch and commented to Mr. Tamez that you wanted to be
14 sexually intimate with Ms. Abrams.

15 115. That your actions as described herein constitute
16 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
17 4(A), or any combination thereof, of the Nevada Code of
18 Judicial Conduct.
19

20 COUNT THIRTY-THREE

21 116. That the allegations in paragraphs 1 through 19, 22,
22 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
23 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108,
24 111 and 114 are incorporated herein by reference as though
25 fully set forth herein.
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1 117. That while Rebeccah was employed as your JEA you
2 asked her to determine if Patty Ross; your law clerk for a
3 time, had a boyfriend, or if she was available and single,
4 indicating you wanted to be involved in an intimate
5 relationship with Ms. Ross.

6 118. That your actions as described herein constitute
7 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2) and/or
8 4(A), or any combination thereof, of the Nevada Code of
9 Judicial Conduct.

10 COUNT THIRTY-FOUR

11 119. That the allegations in paragraphs 1 through 19, 22,
12 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
13 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108,
14 111, 114 and 117 are incorporated herein by reference as though
15 fully set forth herein.

16 120. That while Michael Bognar was employed as your law
17 clerk, you repeatedly ordered him to contact attorneys who
18 appear in your courtroom to have those attorneys buy lunch for
19 you and, at times, members of your staff.

20 121. That after Mr. Bognar left your employment and was in
21 private practice, you coerced him to take you and some of your
22 staff to lunch at the Lone Star.

23 122. That you repeatedly had Donn Prokopius, Esq., an
24 attorney who appeared in front of you, asked to take you and/or
25 members of your staff to lunch.
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1 123. That your actions as described herein constitute
2 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2), 4(A)
3 and/or 4(D), or any combination thereof, of the Nevada Code of
4 Judicial Conduct.

5 COUNT THIRTY-FIVE

6 124. That the allegations in paragraphs 1 through 19, 22,
7 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
8 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108,
9 111, 114, 117, 120-122 are incorporated herein by reference as
10 though fully set forth herein.

11 125. That while Richard Tamez was employed as your
12 bailiff, Vincent Ochoa, Esq., an attorney who had been
13 practicing for a number of years in juvenile court, called you
14 about a juvenile master position, that you refused to speak
15 with him, telling Mr. Tamez to sell Mr. Ochoa that Mr. Ochoa
16 needed to take you to lunch if you wanted Mr. Ochoa to be
17 considered for that position.

18 126. That your actions as described herein constitute
19 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2), 4(A)
20 and/or 4(D), or any combination thereof, of the Nevada Code of
21 Judicial Conduct.

22 COUNT THIRTY-SIX

23 127. That the allegations in paragraphs 1 through 19, 22,
24 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
25 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108,
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1 111, 114, 117, 120-122 and 125 are incorporated herein by
2 reference as though fully set forth herein.

3 128. That during Rebeccah's employment as your JEA you
4 required her during Christmas 2003 to collect \$55.00 from each
5 of your staff members in order to buy a train for you as a
6 Christmas gift.

7 129. That your actions as described herein constitute
8 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2), 4(A)
9 and/or 4(D), or any combination thereof, of the Nevada Code of
10 Judicial Conduct.

11 COUNT THIRTY-SEVEN

12 130. That the allegations in paragraphs 1 through 19, 22,
13 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
14 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108,
15 111, 114, 117, 120-122, 125 and 128 are incorporated herein by
16 reference as though fully set forth herein.

17 131. That while Richard Tamez was employed as your bailiff
18 he also had a part-time job with a commercial airline business;
19 that as a result of that employment he was able to obtain a
20 limited number of airline tickets at a cost of only the taxes;
21 that on several occasions you directed Mr. Tamez to obtain
22 "free" airline tickets for yourself, your girlfriend, Ms. Hui,
23 her son and/or her parents.

24 132. That your actions as described herein constitute
25 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2), 4(A)
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1 and/or 4(D), or any combination thereof, of the Nevada Code of
2 Judicial Conduct.


3 COUNT THIRTY-EIGHT

4 133. That the allegations in paragraphs 1 through 19, 22,
5 25 through 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57, 62, 65,
6 68, 71, 72, 75, 78, 81, 84, 87, 90, 93, 96, 99, 102, 105, 108,
7 111, 114, 117, 120-122, 125, 128 and 131 are incorporated
8 herein by reference as though fully set forth herein.

9
10 134. That while you were in a relationship with Ms. Hui
11 there were occasions when her young son would be brought to
12 your chambers for part of the day; that you required that
13 members of your staff baby-sit the minor child during those
14 times.

15 135. That your actions as described herein constitute
16 violations of Canons 1, 2, 2(A), 2(B), 3(C)(1), 3(C)(2), 4(A)
17 and/or 4(D), or any combination thereof, of the Nevada Code of
18 Judicial Conduct.

19 DATED this 8th day of February, 2008.

20
21 
22 Mary E. Boetsch, Esq.
23 Special Prosecutor for
24 The Nevada Commission
25 On Judicial Discipline
26
27
28

SINAI, SCHROEDER, MOONEY, BOETSCH,
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STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

MARY E. BOETSCH, ESQ., being first duly sworn on oath,
according to law, hereby avers on penalty of perjury:

1. That your affiant is an attorney duly licensed in the
State of Nevada, and has been retained in the capacity of
Special Prosecutor by the State of Nevada Commission on
Judicial Discipline.

2. That your affiant has prepared and reviewed the
foregoing FORMAL STATEMENT OF CHARGES against the Honorable
Nicholas Del Vecchio, and upon information and belief and
following reasonable inquiry, your affiant believes the
contents against Respondent to be true and accurate.

FURTHER YOUR AFFIANT SAYETH NOT

Mary E Boetsch

MARY E. BOETSCH

Subscribed and Sworn to before
me by Mary E. Boetsch this
8th day of February, 2008.

Barbara Massey

NOTARY PUBLIC

