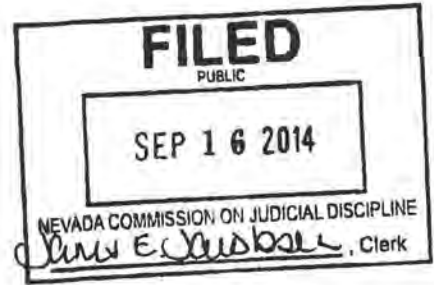


1 Kathleen M. Paustian, Esq., SBN 3785  
2 Law Office of Kathleen M. Paustian  
3 3205 Skipworth Drive  
4 Las Vegas, NV 89107  
5 Telephone: (702) 321-2222  
6 Facsimile: (702) 369-5727  
7 kathleenpaustian@cox.net  
8 Special Counsel for the Nevada  
9 Commission on Judicial Discipline



10 BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE

11 STATE OF NEVADA

NO. 66520

12 IN THE MATTER OF THE )  
13 HONORABLE MICHAEL FLETCHER, )  
14 Walker River Justice of the Peace, County of )  
15 Lyon, State of Nevada, )  
16 Respondent. )

CASE NO.: 2013-010

FILED

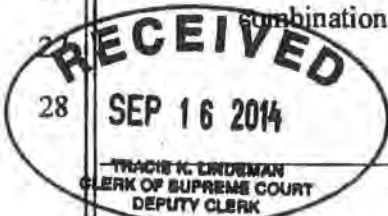
SEP 17 2014

TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

17 **STIPULATION AND ORDER FOR PUBLIC REPRIMAND**

18 In order to resolve the Formal Statement of Charges pending against him before the  
19 Nevada Commission on Judicial Discipline (the "Commission"), the Respondent stipulates to the  
20 following:

- 21 1. Respondent admits he committed violations of the Revised Nevada Code of Judicial  
22 Conduct, Judicial Canon 1, Rule 1.1(failure to comply with the law), Rule 1.2 (failure  
23 to act at all times in a manner that promotes public confidence in the integrity of the  
24 judiciary and failure to avoid impropriety and the appearance of impropriety); Canon  
25 2, Rule 2.7 (failure to hear and decide matters assigned) and Canon 3, Rule 3.1 (A)  
26 (engaging in extrajudicial activities that interfere with the proper performance of  
27 judicial duties) and 3.1 (C) (engaging in extrajudicial activity that would appear to a  
28 reasonable person to undermine the judge's integrity) by doing a singular act, a  
combination of acts, or all of the following acts:



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- A. Being or appearing to be intoxicated while working and conducting judicial duties as a justice of the peace and presiding over a case on or about November 30, 2011;
- B. Being or appearing to be intoxicated on or about December 4, 2012, while meeting at Dini's Casino in Yerington with a court clerk and discussing personnel matters in his capacity as a justice of the peace;
- C. Allegedly consuming alcohol while driving back to Yerington in a county vehicle on or about December 7, 2012, after attending a Lyon County judges meeting in Silver Springs in his capacity of justice of the peace;
- D. Being or appearing to be intoxicated while conducting judicial duties as a justice of the peace, including presiding over one or more cases, on or about December 7, 2012;
- E. Being or appearing to be intoxicated while conducting judicial duties as a municipal court judge in Yerington and making inappropriate comments to the municipal court clerk while on a telephone call with the clerk, or in person, at the municipal court, and; while at the municipal court, making inappropriate comments to a citizen on or about December 7, 2012;
- F. Being or appearing to be intoxicated while discussing his drinking of alcohol while working with a court clerk on or about January 3, 2013;
- G. Being or appearing to be intoxicated while attending a ceremony for the opening of the new Lyon County Justice Complex, giving a speech and performing a wedding in his capacity as justice of the peace on or about January 4, 2013;
- H. Allegedly drinking alcohol while driving from his Smith Valley residence to work on or about January 8, 2013;

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- I. Being or appearing to be intoxicated or having the odor of alcohol on his person while conducting judicial duties as a justice of the peace in the Lyon County Justice Complex on or about January 8, 2013.
  - J. Being or appearing to be intoxicated or having the odor of alcohol on his person while possessing a firearm in the Lyon County Justice Complex as he conducted judicial duties as a justice of the peace on or about January 8, 2013.
2. Respondent admits to all the allegations brought against him in Count One, paragraph (1) and paragraphs (1) (A) through (J) as set forth above. Respondent disavows his denials of the allegations in Count one, paragraph (1) and paragraphs (1) (A) through (J) as stated in his Answers to Interrogatories dated on or about January 13, 2014, filed with the Commission.
  3. Respondent agrees to waive his right to present his case contesting the allegations in the Counts set forth above in a formal hearing pursuant to Commission Rule 18. The Commission accepts the Respondent's waiver of said right.
  4. Respondent agrees and acknowledges that this Stipulation will be published on the Commission's website.
  5. Respondent further agrees formal discipline is being waived pursuant to NRS 1.468(4)(a) and (b), as specified above, and pursuant to (4)(c) which provides this Stipulation will not be protected by confidentiality for the purpose of any subsequent disciplinary proceedings against him and provides the Commission is authorized to revoke this Stipulation and proceed with any other disposition of the Complaint, including formal statement of charges, as authorized by NRS 1.467 if the Commission finds that he has failed to comply with a condition of this Stipulation.
  6. Respondent and the Commission hereby stipulate to public reprimand. Respondent stipulates to the following substantive provisions:

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- (a) He stipulates to a public reprimand by the Commission for violations of the Judicial Canons and Rules as set forth above in Count One, paragraph (1) and paragraphs (1) (A) through (J).
- (b) He agrees the discipline of public reprimand is authorized by Article 6, Section 21(1) of the Nevada Constitution and Rule 29 of the Procedural Rules of the Nevada Commission on Judicial Discipline.
- (c) He agrees that the evidence available to the Commission would establish by clear and convincing proof that he violated an individual canon or combination of canons, including Judicial Canon 1, Rules 1.1 and 1.2; Canon 2, Rule 2.7 and Canon 3, Rule 3.1 (A) and (C).
- (d) The Respondent agrees to successfully complete one (1) course at the National Judicial College in Reno within one (1) year of the Commission signing this Stipulation. The Respondent will register for and complete: "Advanced Issues Involving Co-Occurring Disorders", September 15-18, 2014.
- (e) Further, Respondent will register and complete the following video Continuing Legal Education classes provided through the State Bar of Nevada: (i) Abuse, Addiction, and Mental Health; (ii) Coping with Stress in the Legal Profession; (iii) The Disease of Addiction; (iv) The Impact of Depression and Addiction on Professional Competence and (v) Understanding Addiction. The Respondent will take these courses at his own expense.
- (f) The Respondent agrees he will never bring any firearm onto any property or into any structure owned and/or managed by any county or city in Nevada.
- (g) The Respondent agrees he will continue to attend Alcoholics Anonymous meetings at a minimum of one (1) time per week.

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(h) The Respondent further agrees to continue counseling. **EXHIBIT 1** is composed of a March 25, 2013 letter and September 20, 2013 Progress Report from the Respondent's Counselor Lileo T. Sunderland, M.F.T.

7. The Respondent understands and agrees that by accepting the terms of this Stipulation, he waives his right to appeal to the Nevada Supreme Court, pursuant to Rule 3D of the Nevada Rules of Appellate Procedure.

**ORDER**

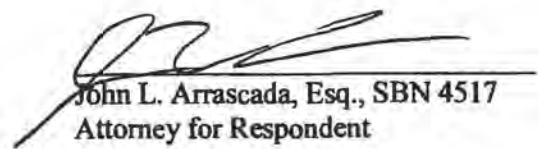
IT IS HEREBY ORDERED by the unanimous vote of Commissioners Doug Jones, Vice Chair Gary Vause, Honorable Mark Denton, Honorable Jerome Polaha, Commissioner Karl Armstrong, Commissioner Joann Elston and Commissioner Bruce Hahn that Respondent should be and hereby is publicly reprimanded for violating Judicial Canon 1, Rules 1.1 and 1.2; Canon 2, Rule 2.7 and Canon 3, Rule 3.1 (A) and (C).

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1 IT IS FURTHER HEREBY ORDERED that the Executive Director of the Judicial  
2 Discipline Commission take the necessary steps to file this document in the appropriate records  
3 and on the website of the Commission and with the Clerk of the Nevada Supreme Court.  
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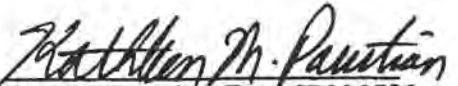
5  For  
6 Honorable Michael Fletcher  
7 Respondent

8 Dated this 15 day of ~~September~~ 2014

9   
10 John L. Arrascada, Esq., SBN 4517  
11 Attorney for Respondent

12 Dated this 15 day of ~~September~~ 2014


13 NEVADA COMMISSION ON  
14 JUDICIAL DISCIPLINE  
15 P.O. Box 48,  
16 Carson City, Nevada 89702

17 By:   
18 Kathleen M. Paustian, Esq., SBN 3785  
19 Special Counsel

20 Dated this 11th day of ~~September~~ 2014

21 The Commissioners listed above accept the terms of the Stipulation between the  
22 Respondent and the Commission set forth above. They further authorize the Chairman to sign on  
23 behalf of the Commission as a whole this document containing the Stipulation and Order for  
24 Public Reprimand of the Respondent.

25 NEVADA COMMISSION ON JUDICIAL DISCIPLINE:

26 Signed by:   
27 DOUG JONES, CHAIRMAN

Dated: 9/16/14

# EXHIBIT 1

Lileo T. Sunderland, M.F.T.  
1191 A High School Street  
P.O. Box 2275  
Gardnerville, NV 89410  
775-783-1136

March 25, 2013

& Aramini, Ltd.  
John L. Arrascada  
145 Ryland Street  
Reno, NV, 89501

FAX: 775-329-1253

RE: Michael S. Fletcher,  
DOB: 03/25/1955

Dear Mr. Arrascada,

Judge Michael S. Fletcher has begun counseling with me. Our initial session was on Thursday, February 21, 2013.


The focus of our counseling will be on issues of addiction, the maintenance of sobriety, and relapse prevention.

I expect we will also look at professional issues such as behavior, attitudes, expectations, boundaries and ethics.

I estimate we will meet every other week or so, depending on our schedules.

Please feel free to call if I may be helpful in any way.

Thank you,



Lileo T. Sunderland, M.F.T.



Lileo T. Sunderland, M.F.T.  
1191 A High School Street  
P.O. Box 2275  
Gardnerville, NV 89410  
775-783-1136

September 20, 2013

Arrascada & Aramini, Ltd.  
John L. Arrascada  
145 Ryland Street  
Reno, NV, 89501

FAX: 775-329-1253

RE: Michael S. Fletcher,

PROGRESS REPORT

DOB: 03/25/1955

Dear Mr. Arrascada,

Judge Michael S. Fletcher began counseling on Thursday, February 21, 2013.

To date he has attended 21 sessions.

Since the last progress report, we have met August 9, 2013, August 30, 2013, September 6,  
and, today, September 20, 2013.

We continue to explore issues concerning relapse prevention, boundaries, cognitive distortions,  
and communication.

He arrives punctually for our appointments, and is attentive and engaged.

Our next appointment is scheduled for Friday, October 4, 2013 at 2:00 pm.

Please feel free to call if I may be helpful in any way.

Thank you,



Lileo T. Sunderland, M.F.T.