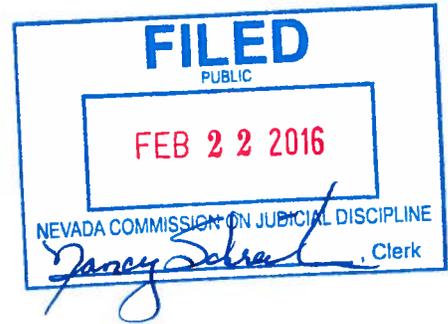


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7 [kathleenpaustian@cox.net](mailto:kathleenpaustian@cox.net)  
8 Prosecuting Officer for the Nevada  
9 Commission on Judicial Discipline



6 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

7  
8 IN THE MATTER OF THE )  
9 HONORABLE Sean Hoeffgen, ) CASE NO.: 2014-122-P  
10 Municipal Court Judge, )  
11 City of North Las Vegas, State of Nevada, )  
12 Respondent. )

12 **FORMAL STATEMENT OF CHARGES**

13 COMES NOW Kathleen M. Paustian, Prosecuting Officer for the Nevada Commission on  
14 Judicial Discipline (“Commission” or “NCJD”), established under Article 6 § 21 of the Nevada  
15 Constitution, who, in the name of and by the authority of the Commission, as found in NRS 1.425 -  
16 1.4695, files this Formal Statement of Charges and informs the Respondent, Sean Hoeffgen,  
17 Municipal Court Judge, City of North Las Vegas, State of Nevada, that the following acts were  
18 committed by Respondent and warrant disciplinary action by the Commission under the Revised  
19 Nevada Code of Judicial Conduct (“the Code”).

20 **FACTUAL ALLEGATIONS**

21 From in or about June, 2013 to in or about February, 2015, and continuing while  
22 Respondent Hoeffgen was acting in the official capacity of his office as a Municipal Court Judge of  
23 the North Las Vegas Municipal Court, he knowingly engaged in the following acts, or a  
24 combination of these acts (“acts”):

25 A. In or about June or July of 2013 Respondent informed fellow Municipal Court Judge  
26 Catherine Ramsey that he would not agree to abide by a previous agreement with her for her to  
27 become Chief Judge. Respondent indicated that this failure to abide by the previous agreement  
28 was based, at least in part, on Respondent’s belief that the North Las Vegas Mayor wanted

1 Respondent to continue as Chief Judge. These actions by the Respondent violated the Preamble to  
2 the Code (“Preamble”) which requires him to maintain the dignity of the office, to avoid  
3 impropriety and the appearance of impropriety and to act at all times to ensure public confidence in  
4 his independence and integrity. They also violate Canon 1 of the Code, Rule 1.2, mandating that  
5 he promote confidence in the judiciary; Canon 2, Rules 2.4(B), precluding Respondent from  
6 permitting external political or other interests to influence his judicial conduct, and 2.4(C)  
7 prohibiting him from conveying the impression that any person or organization is in a position to  
8 influence him.

9 B. From in or about June or July, 2013 to the present, Respondent has failed to cooperate with  
10 his fellow Municipal Court Judge Catherine Ramsey regarding matters pertaining to the  
11 administration of the Court by, among other acts, refusing on numerous occasions to meet  
12 personally or speak with Judge Ramsey or respond to her correspondence. These actions violated  
13 Canon 2, Rule 2.5(B), requiring Respondent to cooperate with other judges and court officials in the  
14 administration of court business.

15 C. From in or about June or July of 2013 continuing to the present, Respondent has taken  
16 positions or made decisions, or has allowed it to appear that he has taken positions or made  
17 decisions, regarding the administration of the Court which were improperly based on his perceived  
18 desires of the North Las Vegas City Mayor or the City administration, instead of on the best  
19 interests of the court. These actions by the Respondent violate the Preamble which requires him to  
20 maintain the dignity of the office, to avoid impropriety and the appearance of impropriety and to act  
21 at all times to ensure public confidence in his independence and integrity. They also violate Canon  
22 1, Rule 1.2, requiring him to promote confidence in the judiciary; Canon 2, Rules 2.4(B),  
23 precluding Respondent from permitting external political or other interests to influence his judicial  
24 conduct and 2.4(C) prohibiting him from conveying the impression that any person or organization  
25 is in a position to influence him.

26 D. From in or about late 2011 until in or about June or July of 2014, Respondent was aware of  
27 alleged misconduct on the part of his fellow Judge Catherine Ramsey regarding her treatment of  
28 court staff and deputies from the North Las Vegas City Attorney’s Office and her improper actions

1 in dismissing valid warrants for failure to appear and Respondent failed to bring this alleged  
2 misconduct to the attention of the Commission on Judicial Discipline. Respondent's actions  
3 constitute a violation of the Preamble based on his failure to act at all times to ensure public  
4 confidence in the judiciary. His actions also violate Canon 1, Rule 1.2, requiring him to promote  
5 confidence in the integrity of the judiciary and Canon 2, Rule 2.15(A), requiring a judge to inform  
6 the Commission if he has knowledge that another judge has committed a violation of the Code  
7 raising a substantial question of that judge's honesty, trustworthiness, or fitness for office.

### 8 **COUNT ONE**

9 By engaging in the acts, or a combination of the acts, listed above, in refusing to abide by an  
10 agreement with Judge Ramsey that she would become Chief Judge, based, in part, on his belief that  
11 the Mayor wanted him to continue as Chief Judge, Respondent violated the Preamble which  
12 requires him to maintain the dignity of the office, to avoid impropriety and the appearance of  
13 impropriety and to act at all times to ensure public confidence in his independence and integrity.  
14 He also violated Canon 1, Rule 1.2, requiring him to promote confidence in the judiciary; Canon 2,  
15 Rules 2.4(B), precluding him from permitting external political or other interests to influence his  
16 judicial conduct and Rule 2.4(C) prohibiting him from conveying the impression that any person or  
17 organization is in a position to influence him.

### 18 **COUNT TWO**

19 By engaging in the acts, or a combination of the acts, listed above, Respondent violated  
20 Canon 2, Rule 2.5(B), requiring him to cooperate with other judges and court officials in the  
21 administration of court business when he refused, on numerous occasions, to meet personally or  
22 speak with Judge Ramsey or respond to her correspondence.

### 23 **COUNT THREE**

24 By engaging in the acts, or a combination of the acts, listed above, when Respondent took  
25 positions or made decisions, or has allowed it to appear that he took positions or made decisions,  
26 regarding the administration of the Court which were improperly based on his perceived desires of  
27 the Mayor or the City administration, rather than on the best interests of the Court, he violated the  
28 Preamble requiring him to maintain the dignity of his office and avoid impropriety and the  
appearance of impropriety and to act at all times to ensure public confidence in his independence  
and integrity. Respondent also violated Canon 1, Rule 1.2, which requires him to promote

1 confidence in the judiciary; Canon 2, Rules 2.4(B), precluding him from permitting external  
2 political or other interests to influence his judicial conduct and 2.4(C) prohibiting him from  
3 conveying the impression that any person or organization is in a position to influence him.

4 **COUNT FOUR**

5 By engaging in the acts, or a combination of the acts, listed above, Respondent violated the  
6 Preamble based on his failure to act at all times to ensure public confidence in the judiciary, as well  
7 as Canon 1, Rule 1.2 and Canon 2, Rule 2.15(A), by failing to bring to the attention of the NCJD his  
8 knowledge of alleged misconduct by fellow Judge Catherine Ramsey regarding her treatment of  
9 court staff and deputies in the City Attorney's Office and her improper actions in dismissing valid  
10 warrants.

11 Based on this information, the Commission shall hold a public hearing on the merits of these  
12 facts and Counts pursuant to NRS 1.4673 and, if violations as alleged are found to be true, the  
13 Commission shall impose whatever sanctions and/or discipline it deems appropriate pursuant to  
14 NRS 1.4677 and other Nevada Revised Statutes governing the Commission

15 DATED this 19 day of February, 2016

16 Submitted by:   
17 Kathleen M. Paustian  
18 Prosecuting Officer for the NCJD  
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STATE OF NEVADA            )  
  ) ss  
COUNTY OF CLARK         )

KATHLEEN M. PAUSTIAN, ESQ. being first duly sworn under oath, according to Nevada law, and under penalty of perjury, hereby states:

1. I am an attorney licensed to practice law in the State of Nevada. I have been retained by the Nevada Commission on Judicial Discipline to serve in the capacity of Prosecuting Officer in the matter of the Honorable Sean Hoeffgen, Case No. 2014-122-P.

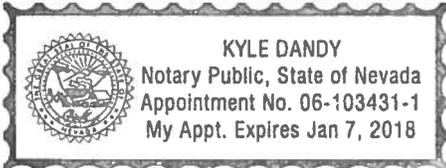
2. I have prepared and reviewed this Formal Statement of Charges against the Honorable Sean Hoeffgen, and, pursuant to the investigation conducted in this matter, and based on the contents of that investigation and following reasonable inquiry, I am informed and believe that the contents of this Formal Statement of Charges are true and accurate.

Dated this 19 day of February, 2016

*Kathleen M. Paustian*  
KATHLEEN M. PAUSTIAN, ESQ.

Subscribed and sworn to before me, a Notary Public

this 19 day of February, 2016.



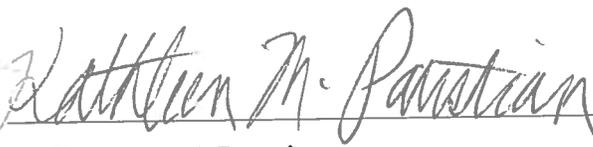
By: [Signature]  
NOTARY PUBLIC

**CERTIFICATE OF SERVICE**

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I hereby certify that a true and correct copy of this FORMAL STATEMENT OF CHARGES was placed in U.S. mail, postage pre-paid, on this 22<sup>nd</sup> day of February, 2016, addressed to:

Kevin R. Hansen, Esq.  
Law Offices of Kevin R. Hansen  
5440 W. Sahara Ave., Ste. 206  
Las Vegas, NV 89146  
Counsel for the Respondent

By:   
Kathleen M. Paustian  
Prosecuting Officer for the NCJD