

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

AUG 23 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY CHIEF DEPUTY CLERK

In the Matter of the
HONORABLE SEAN HOEFFGEN,
Municipal Court Judge, City of North Las Vegas,
County of Clark, State of Nevada,
Respondent.

Case No.

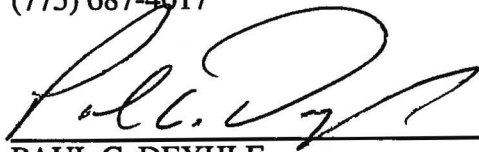
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**CERTIFIED COPY OF STIPULATION AND ORDER OF CONSENT
TO PUBLIC REPRIMAND**

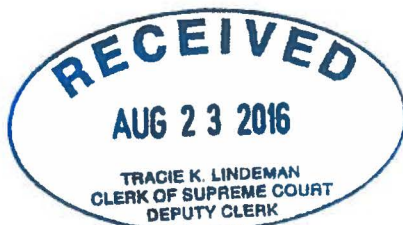
Pursuant to Commission Procedural Rule 29, I hereby certify that the document attached hereto is a true and correct copy of the STIPULATION AND ORDER OF CONSENT TO PUBLIC REPRIMAND filed with the Nevada Commission on Judicial Discipline on July 13, 2016.

DATED this 22nd day of August, 2016.

NEVADA COMMISSION ON
JUDICIAL DISCIPLINE
P. O. Box 48
Carson City, NV 89702
(775) 687-4017



PAUL C. DEYHLE
General Counsel and Executive Director
Nevada Bar No. 6954



FILED
PUBLIC

JUL 13 2016

NEVADA COMMISSION ON JUDICIAL DISCIPLINE
Clara E. Schwab, Clerk

IN THE MATTER OF THE HONORABLE) CASE NO.: 2014-122-P
SEAN HOFFGEN, Municipal Court Judge,)
City of North Las Vegas, State of Nevada,)
)
)
Respondent)

1. Respondent admits he committed violations of the Revised Nevada Code of Judicial Conduct ("Code"), including the Preamble of the Code ("Preamble") which requires him to maintain the dignity of the office, to avoid impropriety and the appearance of impropriety and to act at all times to ensure public confidence in his independence and integrity, as well as Judicial Canon 1, Rule 1.2, mandating that he promote public confidence in the judiciary; Canon 2, Rule 2.4(B), precluding Respondent from permitting external political or other interests to influence his judicial conduct; Rule 2.4(C), prohibiting him from conveying the impression that any person or organization is in a position to influence him; and Rule 2.5(B), requiring Respondent

1 to cooperate with other judges and court officials in the administration of court
2 business; and Rule 2.15(A), requiring him to inform the Commission if he has
3 knowledge that another judge has committed a violation of the Code raising a
4 substantial question of that judge's honesty, trustworthiness, or fitness for office; by
5 doing a singular act, a combination of acts, or all of the following acts:

6 A. In or about June or July of 2013, Respondent informed fellow Municipal
7 Court Judge Catherine Ramsey that he would not agree to abide by a previous
8 agreement with her for her to become Chief Judge. Respondent indicated that
9 this failure to abide by the previous agreement was based, at least in part, on
10 Respondent's belief that the North Las Vegas Mayor wanted Respondent to
11 continue as Chief Judge;

12 B. From in or about June or July, 2013 to the present, Respondent failed to
13 cooperate with his fellow Municipal Court Judge Catherine Ramsey
14 regarding matters pertaining to the administration of the Court by, among
15 other acts, refusing, on numerous occasions, to meet personally or speak
16 with Judge Ramsey or respond to her correspondence;

17 C. From in or about June or July of 2013 continuing to the present, Respondent
18 took positions or made decisions, or has allowed it to appear that he took
19 positions or made decisions, regarding the administration of the Court which
20 were improperly based on his perceived desires of the North Las Vegas City
21 Mayor or the City administration, instead of on the best interests of the court;

22 D. From in or about late 2011 until in or about June or July of 2014, Respondent
23 was aware of alleged misconduct on the part of his fellow Judge Catherine
24 Ramsey regarding her treatment of court staff and deputies from the North Las
25 Vegas City Attorney's Office and her alleged improper actions in dismissing
26 valid warrants for failure to appear and Respondent failed to bring this alleged
27 misconduct to the attention of the Commission on Judicial Discipline; and
28

1 E. Abused his judicial authority by engaging in any or all, or any combination of,
2 the acts listed above in paragraphs A through D (collectively referred to as "the
3 acts").

4 2. Respondent admits to all the allegations brought against him in Counts One (1)
5 through four (4) of the Formal Statement of Charges, filed February 2, 2016, and
6 paragraph (1) (A) through (E) as set forth above.

7 3. Respondent agrees to waive his right to present his case contesting the allegations in
8 the information set forth above in a formal hearing pursuant to Commission
9 Procedural Rule 18. Respondent further agrees that this Order takes effect
10 immediately pursuant to Commission Procedural Rule 29. The Commission accepts
11 Respondent's waiver of said right and acknowledges and agrees to the immediate
12 effect of this Order. Respondent further agrees to appear before the Commission in a
13 public proceeding to discuss this Stipulation and Order in more detail and answer any
14 questions from the Commissioners related thereto.

15 4. Respondent agrees and acknowledges that this Stipulation and Order will be
16 published on the Commission's website and filed with the Clerk of the Nevada
17 Supreme Court.

18 5. Respondent and the Commission hereby stipulate to Respondent's consent to public
19 reprimand pursuant to Commission Procedural Rule 29. Respondent stipulates to the
20 following substantive provisions:

21 (a) He stipulates to a public reprimand by the Commission for violations of the
22 Judicial Canons and Rules as set forth above in paragraph (1) (A) through (E).

23 (b) He agrees the discipline of public reprimand is authorized by Article 6,
24 Section 21(1) of the Nevada Constitution and Rule 29 of the Procedural Rules
25 of the Commission.

26 (c) He agrees that the evidence available to the Commission would establish by
27 clear and convincing proof that he violated the Code, including the Preamble
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1 and an individual canon or combination of canons, including Judicial Canon
2 1, Rule 1.2 and Canon 2, Rules 2.4 (B) and (C), 2.5(B) and 2.15(A).

3 (d) The Respondent agrees to successfully complete the course entitled Ethics,
4 Fairness and Security in Your Court and Community, October 24-27, 2016 at
5 the National Judicial College in Reno. The Respondent shall take this course
6 at his own expense and provide the office of the Commission with proof of his
7 attendance.

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

11 **ORDER**

12 IT IS HEREBY ORDERED that Respondent be and hereby is publicly reprimanded for
13 violating the Preamble to the Revised Nevada Code of Judicial Conduct along with Canon 1,
14 Rule 1.2 and Canon 2, Rules 2.4 (B) and (C), Rule 2.5 (B) and Rule 2.15(A).

15 IT IS FURTHER HEREBY ORDERED that the Executive Director of the Judicial
16 Discipline Commission take the necessary steps to file this document in the appropriate records
17 and on the website of the Commission and with the Clerk of the Nevada Supreme Court.

18
19 

20 Sean Hoeffgen
21 Respondent

22 Dated this 3rd day of JUNE, 2016

23 

24 Kevin Hansen, Esq.
25 Attorney for Respondent

26 Dated this 3 day of JUNE, 2016
27
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NEVADA COMMISSION ON
JUDICIAL DISCIPLINE
P.O. Box 48,
Carson City, Nevada 89702

By: Kathleen M. Paustian
Kathleen M. Paustian, Esq., SBN 3785
Prosecuting Officer

Dated this 6 day of JUNE, 2016

The Commissioners listed below accept the terms of this Stipulation and Order of Consent to Public Reprimand between the Respondent and the Commission. They further authorize the Chairman, if requested, to sign on behalf of the Commission, as a whole, this document containing the Stipulation and Order of Consent to Public Reprimand of the Respondent.

NEVADA COMMISSION ON JUDICIAL DISCIPLINE:

Signed by:

Dated:

Gary Vause
GARY VAUSE, CHAIRMAN

07/13/2016

Concurring:

GARY VAUSE

MARY LAU

THE HONORABLE LEON ABERASTURI

BRUCE HAHN

JOSEPH "MIKE" MCGINNESS

THE HONORABLE LIDIA STIGLICH

Dissenting:

KARL ARMSTRONG

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Kathleen M. Paustian, Esq.
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3205 Skipworth Drive
Las Vegas, NV 89107
Special Counsel

James E. Choates

JANET E. JACOBSEN
Commission Clerk