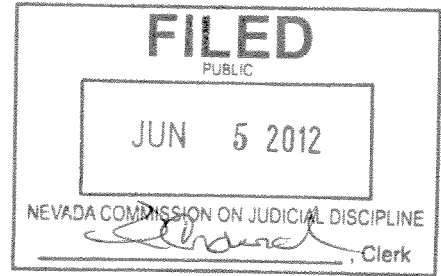


MARY E. BOETSCH
BAR NO. 0156
SINAI, SCHROEDER, MOONEY,
BOETSCH, BRADLEY & PACE
448 Hill Street
Reno NV 89501
(775) 323-5178

Special Prosecutor
For the Commission



BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE

STATE OF NEVADA

In The Matter of the)
)
HONORABLE VALERIE VEGA,)
DISTRICT COURT JUDGE,)
County of Clark,)
State of Nevada,)
)
Respondent.)
)
)

CASE NO. 1203-324

FORMAL STATEMENT OF CHARGES

COMES NOW Mary E. Boetsch, prosecuting attorney herein for
the Nevada Commission on Judicial Discipline of the State of
Nevada, in the name of and by the authority of the Commission
on Judicial Discipline, and herein informs the above-named
Respondent, the Honorable Valerie Vega, who was at all times
relevant to these charges District Court Judge, Eighth Judicial
District, County of Clark, State of Nevada, that the following

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 at all times relevant hereto, you were the
5 District Court Judge assigned to Department Two of the Eighth
6 Judicial District Court of Clark County, Nevada.

7
8 2. That in that capacity you presided over the trial of
9 Victor O. Fakoya, Case Number 08-C-249790, an individual
10 charged with First Degree Murder in the death of a child; that
11 this trial ended on or about March 10, 2010, with a mistrial
12 due to a hung jury.

13 3. That you thereafter presided over the retrial of Mr.
14 Fakoya, who remained in custody during the pendency of these
15 charges; that the retrial began on or about November 8, 2010;
16 and ended with a jury acquittal on or about December 17, 2010.

17
18 4. That in the course of the retrial, you required the
19 jury, the attorneys and staff to conduct proceedings for a
20 continuous period of time from approximately 1:12 p.m. on
21 December 16, 2010 until the jury returned with its verdict at
22 approximately 6:57 a.m. December 17, 2010; that you did so to
23 accommodate your personal schedule.

24 5. That your conduct as described herein constitutes
25 violations of Rules 2.1, 2.5(A), and 2.8, or any combination of
26 these Rules, of the Nevada Code of Judicial Conduct.

COUNT TWO

6. That the allegations in paragraphs 1 through 5 are incorporated herein by reference as though fully set forth herein.

7. That during the course of the retrial of Case Number 08-C-249790 described herein, you recessed court in the early afternoon on approximately six (6) occasions; specifically, on or about November 29, December 1, December 6, December 8, December 13 and December 15, 2010; that you did so to enable you to attend your daughter's high school soccer games.

8. That your conduct as described herein constitutes violations of Rules 2.1, 2.5(A), and 2.8, or any combination of these Rules, of the Nevada Code of Judicial Conduct.

COUNT THREE

9. That the allegations in paragraphs 1 through 8 are incorporated herein by reference as though fully set forth herein.

10. That during the first trial of Victor A. Fakoya, Case Number 08-C-249790, the prosecution called as an expert witness Dr. Omalu, an out-of-state expert witness.


11. That during the retrial of Victor A. Fakoya, Case Number 08-C-249790, described herein, on or about December 6, 2010 the prosecution again Called Dr. Omalu as an expert witness; that Dr. Omalu had not finished his testimony on that

1 date prior to the time you had scheduled an early recess so
2 that you could attend a soccer game of your daughter; that
3 despite the request from the State to continue hearing evidence
4 on that date so that Dr. Omalu witness could finish his
5 testimony that day and return to his out-of-state home base,
6 you refused to do so.

7
8 12. That your refusal to do so necessitated the return of
9 Dr. Omalu to Las Vegas the following day to complete his
10 testimony, resulting in increased expenses and expert fees to
11 Clark County, as well as inconvenience to Dr. Omalu.

12 13. That your conduct as described herein constitutes
13 violations of Rules 2.1, 2.5(a) and 2.8, or any combination of
14 these Rules, of the Nevada Code of Judicial Conduct.

15 DATED this 5th day of June 2012.
16

17 
18 _____
19 Mary E. Boetsch, Esq.
20 Special Prosecutor for
21 The Nevada Commission
22 On Judicial Discipline
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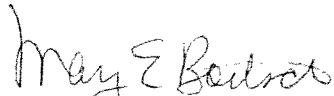
1 STATE OF NEVADA)
) ss.
2 COUNTY OF WASHOE)

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

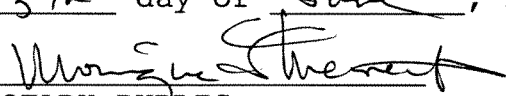
5 1. That your affiant is an attorney duly licensed in the
6 State of Nevada, and has been retained in the capacity of
7 Special Prosecutor by the State of Nevada Commission on
8 Judicial Discipline.
9

10 2. That your affiant has prepared and reviewed the
11 foregoing FORMAL STATEMENT OF CHARGES against the Honorable
12 VALERIE J. VEGA, and upon information and belief and following
13 reasonable inquiry, your affiant believes the contents against
14 Respondent to be true and accurate.

15 FURTHER YOUR AFFIANT SAYETH NOT

16
17 
18 MARY E. BOETSCH

19 Subscribed and Sworn to before
20 me by Mary E. Boetsch this
21 5th day of June, 2012.

22 
NOTARY PUBLIC
23 