

September 18, 2025

No. 25-185

Hon. Sean K. Murphy
San Miguel County Courthouse
Telluride, CO 81435
via e-mail: sean.murphy@judicial.state.co.us

Judge Murphy:

The Commission still has not received a response to its June 25, 2025 letter concerning delays in *Racicot v. Lopresto*, San Miguel County case number 24S1. I asked you to provide your response by July 23. You acknowledged receipt of my emails on July 25 and indicated you would respond that weekend but did not do so. You also have not taken steps to address the delayed order in case 24S1.

The Commission has now conducted a broader investigation into additional allegations against you, including (1) delays in numerous other matters, (2) competency and professionalism concerns related to serial tardiness to court hearings, (3) courtesy to court staff, and (4) questions about whether you properly reside within the 7th Judicial District given the regularity with which you conduct court remotely. The Commission's investigation has uncovered serious concerns regarding potential violations of (a) Rule 2.5 of the Colorado Code of Judicial Conduct, which requires that a judge "perform judicial and administrative duties, competently and diligently," (b) Rule 2.1, which requires that a judge give "precedence" to the duties of judicial office, (c) Rule 2.7, which requires a judge to "hear and decide matters assigned to the judge," and (d) Rule 2.8, which requires a judge to be "patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials . . ."

Your failure to respond to the Commission's inquiries also implicates Canon Rule 2.16, which requires that a judge "cooperate and be candid and honest with judicial and lawyer discipline agencies."

The Commission has now voted to recognize a broader complaint against you. The attached spreadsheet details the basis for that complaint. The Commission requests that you respond to this letter with an explanation for each of the matters of concern listed in the spreadsheet, along with the date by which you will issue any outstanding orders. Please include any context or mitigation which you would like the Commission to consider in its evaluation of this matter.

The Commission emphasizes that it has yet to make any determination in this matter. The purpose of this letter is to inform you that the Commission has determined that a "reasonable

basis” exists to recognize a complaint against you and to give you an opportunity to respond. Colo. RJD 13 & 14. The Commission also advises that, pursuant to Colo. RJD 8.5(a), you have a right to retain counsel at any point in a judicial discipline proceeding.

The Commission respectfully requests that you provide your written response to this letter on or before October 2, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Mangiardi".

Anne Mangiardi
Executive Director