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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

No. S-1-SC-40845

STATE OF NEW MEXICO,

Plaintiff-Appellee,

v.

OSCAR RENEE SANDOVAL,

Defendant-Appellant,

IN RE STEPHEN D. AARONS

An Attorney Licensed to Practice
Law in the Courts of the State of
New Mexico.

Raúl Torrez, Attorney General
Eric Orona, Assistant Attorney General
Albuquerque, NM

for Plaintiff-Appellee

Stephen D. Aarons,
Santa Fe, NM

for Defendant-Appellant
and Respondent Pro Se

DISPOSITIONAL ORDER OF DIRECT CONTEMPT

Per Curiam.

{1} WHEREAS, this matter came on for consideration by the Court upon its own motion to show cause, whereupon the Court issued an order to show cause to Respondent, Defendant-Appellant's attorney Stephen D. Aarons, directing him to show cause in person before the Court on August 21, 2026, why he should not be held in contempt and referred to the Disciplinary Board for the factual and legal misrepresentations he made to the Court in his brief in chief, and response thereto;

{2} WHEREAS, Respondent appeared and presented argument before the Court on August 21, 2026, regarding the misrepresentations he made to the Court;

{3} WHEREAS, Respondent acknowledged to the Court in his written response and oral argument that he used the generative artificial intelligence (AI) tool ChatGPT in the preparation of the brief in chief he filed with the Court;

{4} WHEREAS, Respondent admitted to the Court that the brief in chief contained false testimony from wholly fabricated witnesses—Officer Michelle Amarillo, Officer Sanchez, Manal Al-Jibury, and Teresa Marquez; false testimony from Danny Stanton that he received threats, which he took seriously, from Defendant-Appellant; false testimony from Linda Stanton about the threats her husband received; false testimony from Mariah Chavez and Teresa Marquez (fabricated witness) regarding the shooter's clothing and appearance; and misrepresented legal authority in *State v. Lopez*, 2005-NMSC-018, 138 N.M. 9, 116 P.3d 80 and *State v. Manus*, 1979-NMSC-035, 93 N.M. 95, 597 P. 2d 280;

{5} WHEREAS, Respondent admitted to the Court that he did not verify the factual claims and legal authority in his AI-generated brief before signing it and filing it with the Court, and that he did not inform his client of this failure or that the brief in chief contained multiple factual and legal misrepresentations;

{6} WHEREAS, Respondent also admitted to the Court that he did not inform his client of the order to show cause proceedings or provide his client with copies of the order to show cause pleadings;

{7} WHEREAS, the Court having considered the response and oral argument presented, concludes that Respondent demonstrated a lack of remorse and a lack of concern for his client;

{8} WHEREAS, failure to comply with the briefing requirements set forth in Rule 12-318 NMRA is grounds for sanctions, including contempt, *see* Rule 12-312(D) NMRA;

{9} WHEREAS, this Court has inherent authority to regulate proceedings in New Mexico Courts and discipline New Mexico attorneys under the Court's power of "superintending control over all inferior courts," as set forth in Article VI, Section 3 of the New Mexico Constitution and when imposing discipline, the Court relies "upon the steps necessary to insure the future protection of the public, the reputation of the profession, and the orderly administration of justice." *In re Neundorf*, 1989-NMSC-052, ¶ 7, 108 N.M. 653, 777 P.2d 381; and

{10} WHEREAS, the Court having considered the foregoing and being sufficiently advised; Chief Justice Julie J. Vargas, Justice Michael E. Vigil, Justice C. Shannon Bacon, Justice David K. Thomson, and Justice Briana H. Zamora concurring;

{11} NOW, THEREFORE, IT IS ORDERED that Respondent, STEPHEN D. AARONS, is found in DIRECT CONTEMPT OF COURT;

{12} IT IS FURTHER ORDERED that this matter, with respect to Respondent, is hereby referred to the Disciplinary Board for further consideration;

{13} IT IS FURTHER ORDERED that Respondent is barred from appearing before this Court, pending the outcome of the investigation and proceedings, if any, before the Disciplinary Board;

{14} IT IS FURTHER ORDERED that, following the Disciplinary Board investigation and proceedings, if any, the Court will make further determinations regarding Respondent in accordance with the Rules Governing Discipline;

{15} IT IS FURTHER ORDERED that the Law Office of the Public Defender is hereby appointed to represent Defendant-Appellant in this appeal and shall assign counsel to this matter who shall enter an appearance on behalf of Defendant-Appellant forthwith;

{16} IT IS FURTHER ORDERED that all briefing filed in this matter is hereby STRICKEN;

{17} IT IS FURTHER ORDERED that, following the entry of appearance of new defense counsel, a new briefing order shall be issued and the case will proceed with the intention that it will be heard during the Court's 2026-2027 term;

{18} IT IS FURTHER ORDERED that as a sanction for direct contempt, Stephen D. Aarons shall, within thirty (30) days of the date of this order, pay a sum of five thousand dollars ($5,000) to the State Bar of New Mexico Client Protection Fund and shall notify the Court in writing when such payment is made; and

{19} IT IS FURTHER ORDERED that the Court exercises its discretion under Rule 12-405(B) NMRA to dispose of this matter to the extent it resolves the issues raised pertaining to Respondent's misrepresentations by nonprecedential order rather than a formal opinion.

{20} IT IS SO ORDERED.

JULIE J. VARGAS, Chief Justice

MICHAEL E. VIGIL, Justice

C. SHANNON BACON, Justice

DAVID K. THOMSON, Justice

BRIANA H. ZAMORA, Justice