

FILED

MAR 22 2024

A.C.J.C.

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Phone: (908) 486-8877

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	:	SUPREME COURT OF NEW JERSEY
	:	ADVISORY COMMITTEE ON
	:	JUDICIAL CONDUCT
IN THE MATTER OF	:	Docket Nos. ACJC 2023-109,
	:	ACJC 2024-18
ANTONIO INACIO	:	
JUDGE OF THE MUNICIPAL COURT	:	VERIFIED ANSWER TO
	:	FORMAL COMPLAINT

Antonio Inacio, Respondent herein, by way of Verified Answer to the Formal Complaint
in the within matter, does say.

FACTS

1. Admitted
2. Admitted
3. Admitted

COUNT I

4. Respondent repeats each answer to the preceding Facts section as if fully set forth at length herein.
5. Admitted
6. Admitted
7. Admitted
8. Admitted
9. Admitted
10. Admitted
11. Admitted
12. Admitted
13. Admitted
14. Admitted
15. Admitted

16. Admitted
17. Admitted
18. Admitted
19. Admitted
20. Admitted
21. Admitted

COUNT II

22. Respondent repeats each answer to the allegations set forth in Count I as if fully set forth herein.

23. Admitted
24. Admitted
25. Admitted
26. Admitted
27. Admitted
28. Admitted
29. Admitted
30. Admitted
31. Admitted

COUNT III

32. Respondent repeats each answer to the allegations set forth in Counts I and II as if fully set forth at length herein.

33. Admitted
34. Admitted
35. Admitted
36. Admitted

COUNT IV

37. Respondent repeats each answer to the allegations set forth in Counts I, II and III as if fully set forth at length herein.

38. Admitted
39. Admitted
40. Admitted
41. Admitted
42. Admitted

WHEREFORE Respondent admits that he has violated the Canons of the Code of Judicial Conduct as set forth on pages 9 through 11 of the Formal Complaint.

DISCLOSURE OF FACTS
PURSUANT TO R 2:15-12
(c) (1)

Respondent has admitted all Factual Allegations set forth in the Formal Complaint.

AFFIRMATIVE DEFENSES
AND MITIGATING CIRCUMSTANCES
Pursuant to R 2:15-12 (c) (2) and (3)

1. As to Count I, to the best of Respondents recollection, none of the Police Officers nor Mr. Khoda ever appeared in Court to testify as to the Summonses or Complaints. If they were in Court, it would likely have jogged his memory as to having represented them. Typically, there was no focus on the Complainant if there was to be no trial. The Defendant would usually speak to the Municipal Prosecutor, pro se or with Counsel, and provide the Court with a slip indicating the agreed upon plea or disposition. In retrospect, Respondent acknowledges that he is responsible to determine the absence of conflicts in every case and he now does so following the allegations made in this matter.
2. As to Count II, Respondent never translated nor interpreted testimony. When an interpreter was not readily available, Respondent would occasionally speak to litigants in Spanish or Portuguese, simply in the interest of moving the proceedings along. Respondent now acknowledges that by doing so he was in violation of Administrative Directive # 21-23 and the "best practice" referenced by the Municipal Division Manager (MDM) in his report.
3. As to Count III, Respondent recalls that it was only him, his Court staff, Mr. Fowler and his girlfriend in Court at the time of the colloquy. He intended his comments to humanize the proceedings and made them in a lighthearted fashion. Mr. Fowler was seeking a Public Defender, but to Respondent's recollection was that he extremely well dressed and groomed with jewelry. Respondent's comments were not intended to be discourteous or mocking, but rather to point out what appeared to be an inconsistency in Defendant's appearance and his lack of resources for a Public Defender. In retrospect, Respondent acknowledges that his comments could have readily been misinterpreted, is apologetic for same, and has not engaged in any similar colloquy with any Defendant since these allegations were made against him.

4. With respect to Count IV, the sole reason Respondent did not report his Attorney Ethics offense is that he was unaware that he was required to do so. His Attorney Ethics matter was his first in a close to 40 year career, and he was, in all candor, unaware of the self-reporting Rule as to Municipal Judges. Respondent acknowledges that all Municipal Judges must be cognizant of the Canons of the Code of Judicial Conduct and he cannot be excused for his lack of unawareness. He only states that his failure in this regard was not due to an intent to deceive or conceal. He has since familiarized himself with all provisions of the Rules and Canons of the Code of Judicial Conduct and will adhere to same in all future matter.
5. Respondent's son passed away unexpectedly in 2020. This loss had a devastating effect upon him and for a substantial period of time his focus on his responsibilities was not what it should have been. Respondent has worked through his grieving process and believes that he is now acutely focused upon his duties and responsibilities both as a lawyer and a Judge.
6. Respondent expresses his sincere remorse for the transgressions set forth in the Formal Complaint. He has always endeavored to be a competent, fair and well-regarded member of the Judiciary. As noted above, he has admitted and acknowledged his deficiencies and has taken action to correct them.

CONSTITUTIONAL
CHALLENGES TO THE
PROCEEDINGS

PURSUANT TO R 2:15-12 (c) (4)

1. None

LAW OFFICES OF KOLOGI ♦ SMITZ

By: 
EDWARD J. KOLOGI, ESQ.

Dated: 3/21/24

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IN THE MATTER OF

ANTONIO INACIO
JUDGE OF THE MUNICIPAL COURT

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ADVISORY COMMITTEE ON
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Docket Nos. ACJC 2023-109,
ACJC 2024-18

VERIFICATION OF
ANTONIO INACIO

Antonio Inacio hereby Verifies as follows:

1. I have read the Answer, separate Defenses and Mitigating Circumstances set forth in the attached Answer to the Formal Complaint.
2. I hereby verify that the Answer, separate Defenses and Mitigating Circumstances are true and correct to the best of my knowledge and belief.
3. I am aware that if any of the foregoing are willfully false, I am subject to punishment.

Docket 2024-04


ANTONIO INACIO

CERTIFICATION OF SERVICE

I hereby certify that on March 21, 2024 I caused an original and copy of Respondent's Verified Answer to the Formal Complaint in this matter to be sent to Maureen Bauman Disciplinary Counsel ACJC, Richard J. Hughes Justice Complex P.O Box 037 Trenton, NJ 08625 via Certified Mail, and also via email at Maureen.bauman@njcourts.gov and to Daniel Burns, Esq. at danielburns@njcourts.gov.



MARIA MORALES

Dated 03/21/24