

COMMISSION ON JUDICIAL PERFORMANCE
455 Golden Gate Avenue, Suite 14400
San Francisco, CA 94102

Contact: Victoria B. Henley
Director-Chief Counsel
(415) 557-1200

FOR RELEASE
October 14, 2016

JUDICIAL PERFORMANCE COMMISSION INSTITUTES FORMAL
PROCEEDINGS CONCERNING JUDGE GARY G. KREEP

The Commission on Judicial Performance has instituted formal proceedings to inquire into matters concerning Judge Gary G. Krep of the Superior Court of California, County of San Diego. The commencement of formal proceedings is not a determination of judicial misconduct. The Notice of Formal Proceedings is available for public inspection at the commission office. A copy of the Notice of Formal Proceedings is also posted on the commission's website at <http://cjp.ca.gov> (under "Recent News"). Judge Krep's Answer to the Notice is due October 27, 2016. Upon filing, the judge's answer will be made available for public inspection.

In accordance with the rules that govern commission proceedings, a hearing will be conducted by Special Masters appointed by the Supreme Court. At the hearing, the parties will have an opportunity to introduce evidence and examine and cross-examine witnesses. Commission Trial Counsel Mark A. Lizarraga and Assistant Trial Counsel Sei Shimoguchi will serve as Examiners for the commission. Judge Krep is represented by Attorney James A. Murphy of San Francisco.

Following completion of the hearing, the Special Masters will provide the commission with a report containing findings with respect to the charges. The parties will have an opportunity to present their views on the report to the commission through briefing and argument. If the commission determines that the charges are proved by clear and convincing evidence, it is empowered to remove, censure, publicly admonish, or privately discipline the judge. Charges that the commission determines are not proved will be dismissed. A determination by the commission to remove, censure, or admonish a judge is subject to discretionary review by the Supreme Court upon petition by the judge.

* * *

The commission is composed of three judges, two lawyers and six public members. The chairperson is Anthony P. Capozzi, Esq., of Fresno.

For further information about the Commission on Judicial Performance, see the commission's website at <http://cjp.ca.gov>.