



# State of New Mexico

## *Office of the Governor*

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### **Governor Bill Richardson, Attorney General Patricia Madrid Petition Supreme Court to Force Accused Sex Offender To Face Charges**

SANTA FE- Governor Bill Richardson and Attorney General Patricia Madrid today collaborated on filing an emergency writ of mandamus or superintending control to the New Mexico Supreme Court. The action was necessary to allow authorities to detain a man wanted in Colorado on charges of sexually assaulting a child.

The state filed the emergency writ because Judge George Eichwald, District Judge in the 13<sup>th</sup> Judicial District, issued an order yesterday afternoon ordering the release of Frederic Gordon Lemke, a fugitive from Colorado accused of sexually assaulting a young girl. The Governor felt compelled to seek intervention from the New Mexico Supreme Court given the severe nature of the charge.

“Accused sex offenders will not get a free pass in New Mexico,” said Governor Richardson. “We had to take action to ensure this man stays in custody until he answers the serious charges pending against him in Colorado.”

Shortly after the Governor filed the writ, the New Mexico Supreme Court issued an order staying Judge Eichwald’s order of release, temporarily halting all proceedings in the case, and ordering that defendant Lemke remain in custody pending further order of the Court.

The Governor has the authority and duty under the United States Constitution and New Mexico law to arrest and deliver to another state any fugitive who flees from justice and is found in New Mexico. Governor Richardson felt it was imperative to exercise this authority immediately to avoid the release of a fugitive from justice.