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West's Contempt Charges Thrown Out

By John Larson

SOCORRO – Thirteen months after Charlene West was accused of trying to run over two Socorro Electric Cooperative board members in the co-op parking lot, she was back in District Judge Matt Reynolds' courtroom Thursday, Dec. 3, in a contempt of court hearing for allegedly threatening outgoing board member Juan Gonzales with a bunch of grapes.

After hearing testimony from two SEC Board members – Juan Gonzales and Milton Ulibarri – Reynolds found West not to be in contempt, but ordered that West be banned from attending board meetings. The hearing was called by co-op attorney Joanna Aguilar, on a motion to show cause for contempt and sanctions for West's violation of a preliminary injunction issued Nov. 5, 2008.

West was represented by defense attorney Lee Deschamps.

SEC Board members Juan Gonzales and Milton Ulibarri provided testimony surrounding the grape incident that occurred a few minutes before the start of the Oct. 27 board meeting.

Under questioning by both attorneys, Gonzales stated that he felt threatened when West dropped a bunch of plastic grapes in front of him as he sat at the boardroom table. He said she came from behind his back, and then went to sit down. Gonzales quoted West saying to him, "Here's your sour grapes."

He testified that the grapes possibly made contact with one of his fingers.

When asked what action he took after West dropped the grapes, Gonzales said he swept them off the table.

"I pushed them off the table," Gonzales said. "I felt we had some problems and I didn't like creating any more problems. I kept my mouth shut."

Ulibarri's testimony on the incident was similar to Gonzales'.

"She came up to Mr. Gonzales, and had the grapes, speaking in a rude manner," Ulibarri testified.

Deschamps asked Ulibarri what made him think she was rude.

"Her looks. The way she laughs," Ulibarri said. "The grin on her face."

The plastic grapes were entered as "Exhibit A."

Ulibarri testified that he saw Gonzales pushed the grapes off the table. "And in fact, you threw them at Ms. West?" Deschamps challenged.

Ulibarri said "I'm not sure."

At that point, Deschamps requested the motion for contempt be denied. Reynolds agreed, and told West she "was walking on thin ice."

He said Gonzales has lost his seat on the board and that by her joke with grapes, she was only "grinding his face in [his defeat]."

After the hearing, Deschamps said he decided not to call any defense witnesses because he thought Aguilar had not proved her case.

"Judge Reynolds made the absolutely correct decision that Ms. West had not violated his court order,"

Deschamps told the Mountain Mail.

"They never had a case in the first place. Rather than put on our evidence that would've shown, in fact, that it was Mr. Ulibarri that had committed battery on West. Had we proceeded to do so it would've only fueled further childish behavior."

"It is our fervent hope is that the trustees, regardless of the controversy, will take a closer look at what other duties to the membership they have, instead of what our perceived slights are," Deschamps said.