

In the Courtroom of Judge Brittany Maldonado Malott: A Documented Pattern of Problematic Dispositions, 2020–2026

Problematic Dispositions are those non-merits resolutions where the underlying charges against a defendant remain unresolved, thereby freeing the defendant from physical custody and further criminal prosecution for those charges. In the courtroom of Judge Brittany Maldonado Malott 42 cases were adjudicated at a 76% problematic rate, resulting in 32 problematic cases that included 3 dismissed as incompetent, 19 dismissed for failure to prosecute, 10 State notices of dismissal (nolle prosequi), and 0 deferred dismissals.

2020–2021: Early Signals of Recurring Dismissal

In January 2020, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Breaking and Entering case against Robert Rion, who had 12 prior cases. Rion faced new charges of Trespass in May 2020.

In January 2020, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Battery upon a Peace Officer case against Richard Romero, who had 23 prior cases. Romero faced new charges of Attempt to Commit a Felony, to wit: Battery upon a Peace Officer in February 2020.

In January 2020, the prosecutor filed a notice of dismissal (nolle prosequi) in the Aggravated Stalking (Violation of Protection Order) case against Yoshua Young, assigned to Judge Brittany Maldonado Malott at the time. Young faced new charges of Violation of Restraining Order Prohibiting Domestic Violence in February 2020.

In June 2021, the prosecutor filed a notice of dismissal (nolle prosequi) in the Aggravated DWI Driving While Under the Influence of Intoxicating Liquor/Drug (Refused Testing)(1st) case against Victor Armendariz, assigned to Judge Brittany Maldonado Malott at the time, who had 4 prior cases. Armendariz faced new charges of Shoplifting (Over \$500 but not more than \$2,500) in January 2023.

2022–2023: Peak Volume and Same-Day Clusters

In March 2022, the prosecutor filed a notice of dismissal (nolle prosequi) in the Criminal Damage to the Property of a Household Member (Under \$1,000) case against Joe Moya, assigned to Judge Brittany Maldonado Malott at the time, who had 14 prior cases. Moya faced new charges of Possession of a Controlled Substance – Felony in May 2022.

In June 2022, Judge Brittany Maldonado Malott dismissed as incompetent the Violation of Restraining Order Prohibiting Domestic Violence case against Carolyn Archuleta, who had 30 prior cases. Archuleta faced new charges of Battery upon a Peace Officer in January 2023.

In August 2022, the prosecutor filed a notice of dismissal (nolle prosequi) in the Violation of Restraining Order Prohibiting Domestic Violence case against Richard Sanchez, assigned to Judge Brittany Maldonado Malott at the time, who had 36 prior cases. Sanchez faced new charges of Criminal Damage to the Property of a Household Member (Under \$1,000) in December 2022.

In October 2022, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Battery (household member) case against Perry Lowe, who had 11 prior cases. Lowe faced new charges of Breaking and Entering in November 2022.

In May 2023, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Battery (household member) case against Perry Lowe, who had 20 prior cases. Lowe faced new charges of Battery (household member) in May 2023.

2024–2026: Continued High-Prior Dismissals and Reoffending

In April 2024, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Shoplifting (\$250 or Less) case against Brian Kunkel, who had 6 prior cases. Kunkel faced new charges of Possession of a Controlled Substance – Felony in August 2024.

In July 2024, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Misdemeanor Offense Not Identified case against Ruben Aragon, who had 17 prior cases. Aragon faced new charges of Trafficking Controlled Substances in July 2024.

In August 2024, Judge Brittany Maldonado Malott dismissed as incompetent the Criminal Trespass case against Marcos Montoya, who had 42 prior cases. Montoya faced new charges of Criminal Trespass (Damage) in September 2024.

On October 3, 2024, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Shoplifting (\$250 or Less) case against Rachel Carpenter, who had 20 prior cases, and dismissed as incompetent the Criminal Trespass case against Michael Garcia, who had 27 prior cases. Carpenter faced new charges of Possession of a Controlled Substance – Felony in February 2025. Garcia faced new charges of Criminal Trespass in September 2025.

In October 2024, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Criminal Damage to Property (Under \$1000) case against Perry Lowe, who had 24 prior cases. Lowe faced new charges of Arson (\$250 or Less) in January 2025.

In December 2024, the prosecutor filed a notice of dismissal (nolle prosequi) in the Battery (household member) case against Candido Robles, assigned to Judge Brittany Maldonado Malott at the time, who had 28 prior cases. Robles faced new charges of Battery (household member) in December 2024.

In December 2024, the prosecutor filed a notice of dismissal (nolle prosequi) in the Possession of Drug Paraphernalia (PA) case against Louisa Scott, assigned to Judge Brittany Maldonado Malott at the time, who had 12 prior cases. Scott faced new charges of Resisting, Evading or Obstructing an Officer (Resisting) in January 2025.

In December 2024, Judge Brittany Maldonado Malott dismissed for failure to prosecute the No Housing or Restraint Standards for Mammals and Bird Kept at Boarding Kennels, Shelter, Stores case against Sonja Garcia, who

had 10 prior cases. Garcia faced new charges of Unlawful Entry of Park After Hours in January 2025.

In December 2024, the prosecutor filed a notice of dismissal (nolle prosequi) in the Shoplifting (\$250 or Less) case against Christopher Sidler, assigned to Judge Brittany Maldonado Malott at the time, who had 35 prior cases. Sidler faced new charges of Assault in December 2024.

In February 2025, the prosecutor filed a notice of dismissal (nolle prosequi) in the Arson (\$250 or Less) case against Perry Lowe, assigned to Judge Brittany Maldonado Malott at the time, who had 28 prior cases. Lowe faced new charges of Aggravated Assault (Deadly Weapon) in April 2025.

In June 2025, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Resisting, Evading or Obstructing an Officer (Arrest) case against Ruben Aragon, who had 24 prior cases. Aragon faced new charges of Resisting, Evading or Obstructing an Officer in December 2025.

In June 2025, the prosecutor filed a notice of dismissal (nolle prosequi) in the Criminal Trespass case against Alicia Romero, assigned to Judge Brittany Maldonado Malott at the time, who had 19 prior cases.

In July 2025, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Driving While License Revoked – DWI Related case against Jason Rojas, who had 20 prior cases. Rojas faced new charges of Burglary of a Vehicle in August 2025.

In July 2025, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Criminal Trespass case against Alicia Romero, who had 22 prior cases.

In January 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Battery (household member) case against Sonja Garcia, who had 23 prior cases. Garcia faced new charges of Battery (household member) in January 2026.

In January 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Battery (household member) case against Nicholas Sedillo,

who had 27 prior cases.

In February 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Concealing Identity from Police Officer/Public Official/Person in the Legal Performance of Duties case against David Morales, who had 18 prior cases.

In March 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Criminal Damage to Property (Under \$1000) case against Matthew Jones, who had 37 prior cases.

In April 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Criminal Trespass case against John Johnson, who had 43 prior cases. Johnson faced new charges of Criminal Trespass in May 2026.

In April 2026, the prosecutor filed a notice of dismissal (nolle prosequi) in the Shoplifting (\$250 or Less) case against Orlando Esquer, assigned to Judge Brittany Maldonado Malott at the time, who had 37 prior cases.

In April 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Making a False Report of a Violation of the Criminal Code case against Donald Fletcher, who had 24 prior cases.

In June 2026, Judge Brittany Maldonado Malott dismissed for failure to prosecute the Battery case against Bruce Davis, who had 29 prior cases.

The pattern of problematic dispositions in the courtroom of Judge Brittany Maldonado Malott includes 3 incompetent findings, 19 dismissals for failure to prosecute, and 10 State notices of dismissal (nolle prosequi). High-prior individuals in these records include John Johnson (43 priors), Marcos Montoya (42 priors), Matthew Jones (37 priors), Orlando Esquer (37 priors), and Richard Sanchez (36 priors). Repeat names across separate dated dispositions include Perry Lowe, Ruben Aragon, Alicia Romero, and Sonja Garcia.

Summary of Featured Examples

Period	Offender	Key Charge(s)	Disposition by Judge Maldonado Malott	Priors	Notable Subsequent Charge(s)
2020	Richard Romero	Battery upon a Peace Officer	Dismissed by Judge Maldonado Malott for failure to prosecute	23	Attempt to Commit a Felony, to wit: Battery upon a Peace Officer [Feb 2020]
2022	Carolyn Archuleta	Violation of Restraining Order Prohibiting Domestic Violence	Dismissed by Judge Maldonado Malott as incompetent	30	Battery upon a Peace Officer [Jan 2023]
2022	Richard Sanchez	Violation of Restraining Order Prohibiting Domestic Violence	Notice of dismissal (nolle prosequi)	36	Criminal Damage to the Property of a Household Member (Under \$1,000) [Dec 2022]
2024	Marcos Montoya	Criminal Trespass	Dismissed by Judge Maldonado Malott as incompetent	42	Criminal Trespass (Damage) [Sep 2024]
2024 (Oct 3)	Rachel Carpenter / Michael Garcia	Shoplifting (\$250 or Less) / Criminal Trespass	Failure to prosecute / Dismissed as incompetent	20 / 27	Possession of a Controlled Substance – Felony [Feb 2025] / Criminal Trespass [Sep 2025]

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2024	Christopher Sidler	Shoplifting (\$250 or Less)	Notice of dismissal (nolle prosequi)	35	Assault [Dec 2024]
2025	Perry Lowe	Arson (\$250 or Less)	Notice of dismissal (nolle prosequi)	28	Aggravated Assault (Deadly Weapon) [Apr 2025]
2025	Alicia Romero	Criminal Trespass	Notice of dismissal (nolle prosequi)	19	[No subsequent listed]
2026	John Johnson	Criminal Trespass	Dismissed by Judge Maldonado Malott for failure to prosecute	43	Criminal Trespass [May 2026]
2026	Orlando Esquer	Shoplifting (\$250 or Less)	Notice of dismissal (nolle prosequi)	37	[No subsequent listed]
2026	Matthew Jones	Criminal Damage to Property (Under \$1000)	Dismissed by Judge Maldonado Malott for failure to prosecute	37	[No subsequent listed]