

IN THE SUPREME COURT FOR THE STATE OF ALASKA

In the matter of the proceeding pursuant to
A.S.22.30.011(a) in relation to:

ROMANO DIBENEDETTO,

JUDGE of the Superior Court,
SECOND Judicial District at Nome, Alaska

ACJC File No. 2025-001

Supreme Court No. _____

RECOMMENDATION TO ACCEPT STIPULATION TO ADMITTED VIOLATIONS
AND RECOMMENDED PUBLIC REPRIMAND

Procedures before the Commission

The Alaska Commission on Judicial Conduct held a Formal Disciplinary Hearing on January 30, 2026, where Special Counsel Jessica Dillon presented a stipulation to admitted violations with supporting witness affidavits and a recommendation for discipline. Judge DiBenedetto's counsel was also present and agreed with the accuracy of the description of the process and the stipulation. The Commission then deliberated to consider the materials. At the conclusion of deliberations, the Commission unanimously voted to accept the Stipulation to Admitted Violations and the Recommendation for Discipline and recommend a public reprimand by the Alaska Supreme Court under Rule 406 of the Rules of Appellate Procedure. A full procedural history of this matter is outlined in the Special Counsel's Recommendation for Discipline.

SUBMITTED by the COMMISSION ON JUDICIAL CONDUCT, through its Executive Director, this 3rd day of February 2026.



Marla N. Greenstein (Bar No. 9708048)
Executive Director
Commission on Judicial Conduct

Alaska Commission on Judicial Conduct
510 L Street, Suite 585
Anchorage, Alaska 99501
(907) 272-1033
FAX (907) 272-9309

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to AS 22.3011(a),)
in relation to)
)
ROMANO DIBENEDETTO)
)
Judge of the Superior Court,)
SECOND Judicial District at)
Nome Alaska)
_____)

ACJC File No. 2025-001

RECOMMENDATION FOR DISCIPLINE
BY SPECIAL COUNSEL

The Alaska Commission on Judicial Conduct formally charged Honorable Romano D. DiBenedetto, Judge of the Alaska Superior Court, Second Judicial District with violations of AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A and 3A, and 3B(5) of the Alaska Code of Judicial Conduct. The undersigned, Jessica Dillon of Dillon Findley & Simonian, P.C., serves as Special Counsel in these proceedings, and the Honorable Romano D. DiBenedetto is represented by John P. Cashion of Cashion Gilmore & Lindemuth LLC.

The undersigned concludes that the Commission's previous recommendation that Judge DiBenedetto receive a public reprimand is the appropriate sanction for his conduct in violation of Canons 2A and 3A based on the stipulated findings of fact, sworn affidavits

RECOMMENDATION FOR DISCIPLINE BY SPECIAL COUNSEL

ITMO: Judge Romano DiBenedetto

ACJC File No. 2025-001

Page 1 of 7

from court staff and the former Nome Assistant District Attorney and Assistant Public Defender, and the mitigating and aggravating factors addressed below.

I. PROCEDURAL BACKGROUND

This matter was initially brought to the attention of the Alaska Commission on Judicial Conduct (“Commission”) as a referral by the Presiding Judge of the Second Judicial District on February 24, 2025. The matter was first reviewed as a complaint at the Commission’s March 7, 2025, regular meeting. The Commission staff began an investigation that resulted in a Notice of Formal Investigation to the judge, pursuant to Commission Rule of Procedure Rule 8A, on April 9, 2025, and a Supplemental Notice on May 22, 2025. Judge DiBenedetto provided a written response to both notices. The Commission held three special meetings to review the investigation on April 4, 2025, April 29, 2025, and May 28, 2025. Judge DiBenedetto and his attorney John P. Cashion appeared at the April 29th special meeting.

At the May 28th meeting the Commission determined it would hold a Probable Cause Determination Meeting at its next regular meeting. A Notice of Probable Cause Determination Meeting was issued on June 6, 2025. At the time set for the Probable Cause Determination Meeting on June 27, 2025, the Commission’s Executive Director requested that the Commission move directly to a Public Formal Hearing to allow her to present the Agreed Findings of Fact and Uncontested Recommendation for Discipline. That request was granted by unanimous vote of the Commission. At the conclusion of deliberations, the Commission unanimously voted to accept the Agreed Findings of Fact

RECOMMENDATION FOR DISCIPLINE BY SPECIAL COUNSEL

ITMO: Judge Romano DiBenedetto

ACJC File No. 2025-001

Page 2 of 7

and Uncontested Recommendation for Discipline and recommend a public reprimand by the Alaska Supreme Court under Alaska Appellate Rule 406.

On July 3, 2025, the Commission filed a Recommendation to Accept Agreed Findings and Uncontested Public Reprimand with the Alaska Supreme Court. On July 24, 2025, the Alaska Supreme Court issued an order holding that it needed additional information to exercise its independent judgment and directed the Commission to provide the Court with a copy of its investigative materials in the case. On August 15, 2025, the Commission requested reconsideration of the Court's July 24, 2025, Order, or alternatively for the Court to remand the matter back to the Commission for further proceedings.

On September 29, 2025, the Alaska Supreme Court granted reconsideration, providing the Commission with three options: (1) file a copy the investigative materials in the case under seal with the Court; (2) withdraw the Agreed Findings of Fact and Uncontested Recommendation for Discipline to provide the parties with an opportunity to supplement the Findings of Fact and reengage with proceedings before the Commission so that it could submit revised Agreed Findings of Fact and Uncontested Recommendation for Discipline; or (3) notify the Court of the Commission's intent to neither provide a copy of the investigative materials, nor withdraw the Agreed Findings of Fact and Uncontested Recommendation for Discipline. On October 7, 2025, the Commission withdrew its previously filed Agreed Findings of Fact and Uncontested Recommendation for Discipline to allow for further proceedings before the Commission.

Judge DiBenedetto did not oppose this request by the Commission. On October 10, 2025, the Alaska Supreme Court issued an order granting the Commission's request.

On October 30, 2025, the Commission sent a Notice of Probable Cause Meeting to be held on November 14, 2025, to Judge DiBenedetto. At the Probable Cause Meeting the Commission voted to issue formal charges. On November 18, 2025, the Commission issued a complaint formally charging Judge DiBenedetto with violations of AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A and 3A, and 3B(5) of the Alaska Code of Judicial Conduct. The specific charges included:

(1) On January 8, 2024, Judge DiBenedetto participated in a motion hearing occurring in Unalakleet in State v. Nance, 2UT-23-00081 CR, et al. The motion hearing occurred after normal work hours, and Judge DiBenedetto's participation in the hearing was delayed close to one hour due to the fact that he was watching a televised sporting event. When subsequently interacting with the involved attorneys and while off record, Judge DiBenedetto explained his delay to the lawyers as due to "getting lost." This conduct violates Canons 2A and 3A by creating the appearance that the court matter did not take precedence over a personal activity. This conduct appears to be part of a pattern where Judge DiBenedetto canceled, moved, or delayed hearings for personal reasons with little or no advance notice to participants, or started hearings late, or did not make himself available during full court hours.

(2) Complaints against Judge DiBenedetto have also been made for other conduct occurring outside of the courtroom. While in the presence of court staff, Judge DiBenedetto, on more than one occasion, discussed testimony occurring in his courtroom. When discussing the testimony or comments of participants in judicial proceedings including persons who are part of ethnic groups other than his own, he would imitate ethnic voices. By imitating ethnic voices of court participants, Judge DiBenedetto undermined confidence in the integrity and impartiality of the judiciary. This conduct violates Canon 2A and Canon 3B(5) by creating an appearance of bias or prejudice.

On December 3, 2025, the Commission appointed the undersigned as special counsel to formally investigate the charges and prepare and present the case against Judge DiBenedetto. On December 4, 2025, Judge DiBenedetto answered the Commission’s complaint, acknowledging that his conduct alleged in the complaint violated Canons 2A and 3, but denied that his conduct violated Canon 3B(5). The undersigned conducted extensive interviews with court employees, the Nome District Attorney and Assistant District Attorney, and the Nome Assistant Public Defender. Judge DiBenedetto’s attorney Mr. Cashion was also present for the interviews and had an opportunity to ask the witnesses questions. These witnesses submitted sworn affidavits supporting the undersigned’s findings of fact. On January 29, 2026, Judge DiBenedetto stipulated to the Commission’s findings of fact.

II. RECOMMENDATION FOR SANCTIONS

The Alaska Supreme Court applies the American Bar Association's Standards for Imposing Lawyer Sanctions (Standards) when considering judicial misconduct and appropriate sanctions.¹ The ABA Standards address four factors: “(1) the ethical duty violated; (2) the actor's mental state; (3) the extent of the actual or potential injury caused by the misconduct; and (4) any aggravating or mitigating circumstances.”² The Alaska Supreme Court characterizes “the misconduct in light of the first three factors, yielding a

¹ *Matter Involving Fallon*, 544 P.3d 626, 627 (Alaska 2024)(internal citations omitted).

² *Id.*

presumptive sanction” that it “adjust[s] in light of the final factor and prior case law.”³ The Alaska Supreme Court has indicated that the presumptive sanction for negligent conduct is a public reprimand.⁴ Each of the factors are addressed below.

The misconduct here relates to Judge DiBenedetto creating an appearance that his personal activities took precedence over his judicial duties in violation of Alaska Code of Judicial Conduct Canons 2A and 3A. These personal activities involved Judge DiBenedetto delaying an after-hours hearing for approximately one hour because he was watching a televised sporting event and his pattern of traveling out of town and continuing hearings on short notice. Judge DiBenedetto’s misconduct also involved him impersonating people who are part of ethnic groups other than his own while outside the courtroom and in the presence of court staff. This conduct violates Canon 2A by undermining the confidence in the integrity and impartiality of the judiciary.

The sworn witness statements based on the extensive interviews conducted by the undersigned demonstrate that Judge DiBenedetto’s actions were negligent. The frequent continuances were an inconvenience to the parties and court staff, but the judge was still generally available to staff and covered time-sensitive hearings when he was travelling. While Judge DiBenedetto’s impersonations ran the risk of creating the appearance that he was acting with prejudice or bias, the consensus amongst the court staff was that Judge

³ *Id.*

⁴ *Disciplinary Matter Involving White*, 463 P.3d 169, 173 (Alaska 2020); *Matter Involving Fallon*, 544 P.3d at 627.

DiBenedetto was not acting with actual malice, prejudice, or bias when impersonating others. The witnesses' sworn statements also demonstrated that his misconduct did not cause actual harm to a client or case.

Based on the entire record, the undersigned agrees with the Commission's recommendation for Judge DiBenedetto to receive a public reprimand as described in AS 22.30.011(d)(2) for his conduct in violation of Canons 2A and 3A.

The undersigned identifies the following mitigating factors that have previously been recognized by the Alaska Supreme Court: (1) Judge DiBenedetto has not faced prior disciplinary proceedings; (2) Judge DiBenedetto cooperated with the disciplinary proceedings and acknowledged his violations of the Alaska Code of Judicial Conduct; and (3) Judge DiBenedetto did not act with actual malice, prejudice, or bias. The undersigned only identifies one aggravating factor in this case – that Judge DiBenedetto has substantial experience as a judge and therefore should have understood that his conduct at issue here violated the Alaska Code of Judicial Conduct. The undersigned concludes that there are not sufficient mitigating or aggravating circumstances to warrant deviation from the public reprimand as the ultimate sanction.

DATED this 29th day of January 2026, at Anchorage, Alaska.

/s/ Jessica Dillon

Jessica Dillon
Alaska Bar No. 0811066
Special Counsel for Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 29, 2026, a true and correct copy of the foregoing document was served by:

- [] hand delivery
- [] first class mail
- [X] email

on the following attorney of record:

John Cashion
510 L Street, Suite 300
Anchorage, AK 99501
Email: john@cashiongilmore.com

/s/ Jessica Dillon
Jessica Dillon

STATE OF ALASKA
 COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
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 ROMANO DIBENEDETTO)
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 Judge of the Superior Court,)
 SECOND Judicial District at)
 Nome Alaska)
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ACJC File No. 2025-001

STIPULATION TO ADMITTED VIOLATIONS

The Alaska Commission on Judicial Conduct and the Honorable Romano D. DiBenedetto, Judge of the Alaska Superior Court, Second Judicial District at Nome, stipulate and agree to the admitted violations described below. Jessica Dillon of Dillon Findley & Simonian, P.C. serves as Special Counsel in these proceedings, and the Honorable Romano D. DiBenedetto is represented by John P. Cashion of Cashion Gilmore & Lindemuth LLC.

STIPULATION

1. Judge DiBenedetto was appointed to the bench by Governor Bill Walker on February 9, 2017.
2. Judge DiBenedetto stood for retention in 2020, and he received a favorable vote from the citizens of the State of Alaska during that election.

3. On January 8, 2024, Judge DiBenedetto participated in a motion hearing occurring in Unalakleet in *State v. Nance*, Case No. 2UT-23-00081 CR, *et al.* The hearing occurred after normal work hours, and Judge DiBenedetto's participation in the hearing was delayed for close to one hour because he was watching a televised sporting event and then the person driving him to the courthouse briefly got lost.

4. When subsequently interacting with the involved attorneys and while off record, Judge DiBenedetto explained his delay to the lawyers as due to "getting lost," without mentioning that he had been watching a televised sporting event. Judge DiBenedetto's conduct violated Canon 2A and 3A by creating the appearance that the court proceeding did not take precedence over his personal activity. None of the parties involved in the hearing, however, believe that Judge DiBenedetto's delay caused harm to the case or their clients, and the trial proceeded as scheduled the following day.

5. Judge DiBenedetto frequently continued court hearings on Thursday afternoons to accommodate his travel schedule. While Judge DiBenedetto covered time-sensitive hearings and was available to staff while he was travelling, his pattern of traveling out of town and continuing hearings on short notice created an appearance that his personal travel needs took precedence over the requirements of the court. This conduct violates Canon 2A and 3A.

6. While outside the courtroom and in the presence of court staff, Judge DiBenedetto on several occasions impersonated persons appearing in his courtroom,

including Alaska Natives and a Vietnamese police officer. This conduct violates Canon 2A by undermining the confidence in the integrity and impartiality of the judiciary.

7. While Judge DiBenedetto's impersonations ran the risk of creating the appearance that he was acting with prejudice or bias, the consensus amongst the court staff was that Judge DiBenedetto was not acting with actual malice, prejudice, or bias when impersonating others. The impersonations extended to people of all races, and court staff provided sworn testimony that Judge DiBenedetto was an expressive person and frequently used accents and impersonations to enhance his storytelling, including impersonations of his own family members and relatives. The Alaska Commission on Judicial Conduct's charge that Judge DiBenedetto violated Canon 3(B)(5) is therefore not supported by the weight of the evidence. Canon 3(B)(5) provides:

Canon 3. A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently.

In the performance of judicial duties, a judge shall act without bias or prejudice and shall not manifest, by words or conduct, bias or prejudice based upon race, color, sex, religion, national origin, disability, age, marital status, changes in marital status, pregnancy, parenthood, sexual orientation, or social or economic status. A judge shall not permit court staff and others subject to the judge's direction and control to deviate from these standards in their duties.

8. By this Stipulation Judge DiBenedetto acknowledges: (1) that his conduct noted above in paragraphs 3 and 4 violates Canons 2A and 3A by creating an appearance that the scheduled court hearing did not take precedence over a personal activity; (2) that his conduct noted above in paragraph 5 also violates Canons 2A and 3A by creating an appearance that the court calendar could frequently be altered for personal convenience;

and (3) that his conduct noted above in paragraph 6 violates Canon 2A, undermining confidence in the integrity and impartiality of the judiciary by impersonating persons who are part of ethnic groups other than his own. Canons 2A and 3A provide:

Canon 2. A Judge Shall Avoid Impropriety and the Appearance of Impropriety in All the Judge's Activities.

In all activities, a judge shall exhibit respect for the rule of law, comply with the law, avoid impropriety and the appearance of impropriety, and act in a manner that promotes public confidence in the integrity and the impartiality of the judiciary.

Canon 3. A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently.

The judicial duties of a judge take precedence over all the judge's other activities. A judge's judicial duties include all the duties of the judge's office prescribed by law.

AGREEMENT

9. Judge DiBenedetto agrees to accept a recommendation from the Commission to receive a public reprimand as described in AS 22.30.011(d)(2) for his conduct in violation of Canons 2A and 3A. Judge DiBenedetto further agrees to waive his right to a Formal Disciplinary Hearing before the Commission.

10. In acknowledging these violations of the Alaska Code of Judicial Conduct, Judge DiBenedetto takes responsibility for his actions and is committed to ensuring that this conduct does not recur.

LAW OFFICES
DILLON FINDLEY & SIMONIAN
A PROFESSIONAL CORPORATION
1049 W. 5th Avenue, Suite 100
Anchorage, Alaska 99501
Tel: (907) 277-5400 • Fax: (907) 277-9896

DATED this 29th day of January 2026, at Anchorage, Alaska.

/s/ John P. Cashion

John P. Cashion
Alaska Bar No. 9806025
Attorney for Respondent

/s/ Romano D. DiBenedetto

The Honorable Romano D. DiBenedetto
Judge of the Alaska Superior Court

/s/ Jessica Dillon

Jessica Dillon
Alaska Bar No. 0811066
Special Counsel for Commission

STATE OF ALASKA

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The table below cross references the stipulated findings of fact and the paragraphs in the witness affidavits that address Judge DiBenedetto’s violations of the Alaska Code of Judicial Conduct in this matter.

| Code of Judicial Conduct | Stipulated Findings of Fact | Affidavits |
|---|--|--|
| <p>Canon 2A - In all activities, a judge shall exhibit respect for the rule of law, comply with the law,* avoid impropriety and the appearance of impropriety, and act in a manner that promotes public confidence in the integrity and the impartiality of the judiciary.</p> | <ul style="list-style-type: none"> • Findings of Fact at ¶¶ 3, 4, 5, 6, 8 | <ul style="list-style-type: none"> • Leslie Brand Affidavit at ¶¶ 5, 6 • Adam Carman Affidavit at ¶¶ 4, 6 • Ashly Crockett Affidavit at ¶¶ 4, 5, 6 • Marla Grant Affidavit at ¶¶ 6 • Melissa Samuels Affidavit at ¶¶ 4, 5 |
| <p>Canon 3A - The judicial duties* of a judge take precedence over all the judge’s other activities. A judge’s judicial duties include all the duties of the judge’s office prescribed by law.* In performance of these duties, the following standards apply.</p> | <ul style="list-style-type: none"> • Findings of Fact at ¶¶ 3, 4, 5, 8 | <ul style="list-style-type: none"> • Leslie Brand Affidavit at ¶¶ 5, 6 • Adam Carman Affidavit at ¶¶ 4, 6 • Ashly Crockett Affidavit at ¶¶ 4, 5, 6 • Marla Grant Affidavit at ¶¶ 6 • Melissa Samuels Affidavit at ¶¶ 4, 5 |

| | | |
|--|--|--|
| <p>Canon 3(B)(5) - In the performance of judicial duties,* a judge shall act without bias or prejudice* and shall not manifest, by words or conduct, bias or prejudice based upon race, color, sex, religion, national origin, disability, age, marital status, changes in marital status, pregnancy, parenthood, sexual orientation, or social or economic status. A judge shall not permit court staff and others subject to the judge's direction and control to deviate from these standards in their duties.</p> | <ul style="list-style-type: none"> • Findings of Fact at ¶¶ 6, 7, 8 | <ul style="list-style-type: none"> • Leslie Brand at Affidavit ¶¶ 3, 4 • Marla Grant at Affidavit ¶¶ 3, 4, 5 |
|--|--|--|

INDEX OF AFFIDAVITS

| | |
|-----------------|--|
| Leslie Brand | Judicial Assistant for Judge DiBenedetto |
| Adam Carman | Assistant Public Defender with the Alaska Public Defender Agency |
| Robert Colvin | Area Court Administrator for the Second Judicial District |
| Ashly Crockett | Assistant District Attorney with the State of Alaska |
| Marla Grant | In-Court Criminal Clerk (Dec. 2020 – Jan. 2023) & Clerk of Court (Jan. 9, 2023 – Present) |
| Melissa Samuels | Rural Area Court Administrator for the Second Judicial District |

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
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in relation to)
ROMANO DIBENEDETTO)
Judge of the Superior Court,)
SECOND Judicial District at)
Nome Alaska)

ACJC File No. 2025-001

AFFIDAVIT OF LESLIE BRAND

STATE OF ALASKA)
SECOND JUDICIAL DISTRICT) ss.
)

I, Leslie Brand, being first duly sworn, depose and state as follows:

1. I am the judicial assistant for Judge DiBenedetto in Nome, Alaska.
2. I have personal knowledge regarding Judge DiBenedetto's judicial conduct because I worked as a criminal clerk from May 2017 to April 2022 in the Nome court and as his judicial assistant since August 2023.
3. Judge DiBenedetto occasionally reenacts testimony and events occurring in his courtroom when off record and in the presence of court staff. I have personally observed Judge DiBenedetto imitating Alaska Natives with an exaggerated stereotype of an accent that carries negative connotations. I have also observed Judge DiBenedetto using

an accent to imitate a Vietnamese police officer's trial testimony. This imitation was not done to sound like the officer but was instead was an exaggerated stereotype of an Asian accent that carried a negative connotation against Asian people. The imitation went on in front of several members of staff for some time and for several repetitions. I eventually stepped out of the office because this made the environment so uncomfortable.

4. While I believe Judge DiBenedetto was not acting with malice when he imitated other races, the implications were negative toward the individuals he was imitating due to the derogatory nature of the accent he used for the reenactment.

5. I had to reschedule hearings at the last minute to accommodate Judge DiBenedetto's travel schedule approximately two to three times a month. On one occasion, I informed him a hearing could not be rescheduled and he did hold the hearing. While I could usually reach Judge DiBenedetto after two or three calls, his frequent unplanned absences created a burden for the clerk's office and for the parties.

6. Judge DiBenedetto frequently arrived late to court and had a regular pattern of keeping parties waiting for him to go on record.

7. Overall, I have had a positive working relationship with Judge DiBenedetto. I believe that he has a huge respect for the law. He has an open-door policy for court staff.

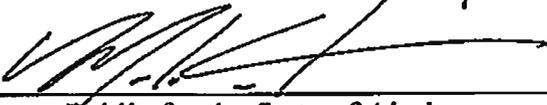
FURTHER THIS AFFIANT SAYETH NAUGHT.



Leslie Brand

SUBSCRIBED AND SWORN to before me this 27th day of January 2026, at
Alone, Alaska.





Notary Public for the State of Alaska
My Commission Expires: with position

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

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AFFIDAVIT OF ADAM CARMAN

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, Adam Carman, being first duly sworn, depose and state as follows:

1. I am an Assistant Public Defender with the Alaska Public Defender Agency.
2. I have personal knowledge about court proceedings presided over by Judge DiBenedetto because I appeared in criminal cases in front of him almost every day for approximately two years from December 2022 to August 2024.
3. On January 8, 2024, I traveled to Unalakleet for a trial in *State v. Nance*, 2UT-23-00081CR, along with Assistant Public Defender, Maresa Jenson. An after-hours hearing was scheduled by Judge DiBenedetto to address pre-trial motions. Since the flight

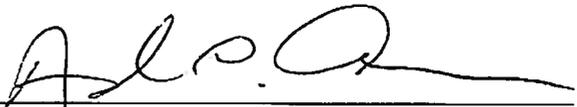
to Unalakleet was delayed, we had to go straight from the airport to the courthouse to attend the hearing.

4. The parties waited for almost an hour for Judge DiBenedetto to arrive at the courthouse. When Judge DiBenedetto finally arrived, he remarked that they had gotten lost. I understood his statement to be a lighthearted remark or joke, due to the obvious fact that it was difficult to get lost in the small village of Unalakleet.

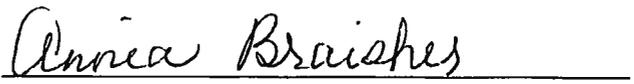
5. I do not believe that the delay in starting the hearing caused harm to the case or my client. We were able to start selecting the jury the next day.

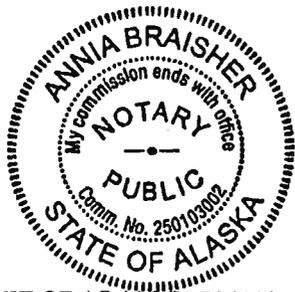
6. Judge DiBenedetto's hearings were frequently canceled or moved at the last minute. However, as far as I can remember, the judge made efforts to ensure that time-sensitive matters were either 1) not cancelled, or 2) covered by telephone, even when he was travelling. I do not recall any situation where a moved hearing caused harm to a client or case which was assigned to me.

FURTHER THIS AFFIANT SAYETH NAUGHT.


Adam Carman

SUBSCRIBED AND SWORN to before me this 26 day of Jan. 2026, at Heenrage, Alaska.


Notary Public for the State of Alaska.
My Commission Expires: w / office



STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

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AFFIDAVIT OF ROBERT COLVIN

STATE OF ALASKA)
) ss.
SECOND JUDICIAL DISTRICT)

I, Robert Colvin, being first duly sworn, depose and state as follows:

1. I am the Area Court Administrator for the Second Judicial District. I have held this position for approximately three years, with the last two and a half years spent in Nome. I was previously employed as the Clerk of Court in Kotzebue.

2. I have personal knowledge regarding Judge DiBenedetto's judicial conduct because I work with him in my position as court administrator.

3. During that time, in the course of my supervision, I had reason to review the testimony of an Asian officer in Judge DiBenedetto's courtroom. I have met the officer in

question, and he speaks perfect English with no discernible accent. In his testimony, he spoke with no discernible accent and used complete English and complete sentences.

4. During my time in this position, I have also observed Judge DiBenedetto imitating a stereotype of a Native Alaskan accent while describing his everyday interactions with Native Alaskans in the community. When imitating people with this exaggerated accent, Judge DiBenedetto did not repeat statements actually made by the other person but instead used language that would indicate that the person was of lower intelligence. I cannot say with confidence how many times I observed this type of behavior because it was frequent.

5. In the course of my supervision of Nome court staff, I assisted and oversaw the cancelation and rescheduling of hearings last minute due to staff not realizing they would need to cancel and reschedule the hearings ahead of time.

6. I do not hold personal malice toward Judge DiBenedetto, and none of the statements I have made are for the purpose of harming him.

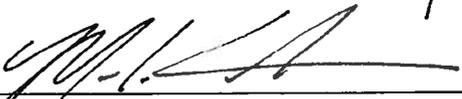
FURTHER THIS AFFIANT SAYETH NAUGHT.



Robert Colvin

SUBSCRIBED AND SWORN to before me this 29th day of January 2026, at
Nome, Alaska.





Notary Public for the State of Alaska
My Commission Expires: with position

STATE OF ALASKA
COMMISSION ON JUDICIAL CONDUCT

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Judge of the Superior Court,)
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AFFIDAVIT OF ASHLY CROCKETT

STATE OF ALASKA)
) ss.
SECOND JUDICIAL DISTRICT)

I, Ashly Crockett, being first duly sworn, depose and state as follows:

1. I am an Assistant District Attorney with the State of Alaska, working out of the Nome District Attorney's Office. I held that position from July 2021 to January 2026.
2. I have personal knowledge about court proceedings presided over by Judge DiBenedetto because I appeared in front of the judge almost every day for three years, with approximately 300-400 cases on my active caseload.
3. I was the prosecutor in *State v. Nance*, 2UT-23-00081 CR. On January 8, 2024, Judge DiBenedetto set a pre-trial motion hearing in that case around 6:30pm so that the parties could address the pre-trial matters the evening before trial.

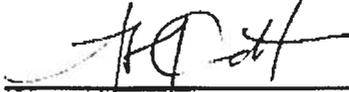
4. The court staff and attorneys had to wait for approximately an hour for Judge DiBenedetto to arrive at the courthouse to start the hearing. During that time, the parties were informed by court staff that Judge DiBenedetto would arrive as soon as the televised game that he was watching was winding down.

5. When Judge DiBenedetto arrived, he apologized for the delay saying he “got lost on the way there.” It is my impression that the judge was dishonest about the reason for the delay. I could have been interviewing witnesses, meeting with the victim, or doing other trial preparation during this hour delay.

6. It was not unusual for the Nome court to continue Judge DiBenedetto’s cases without prior notice or consulting the parties regarding their availability. The court would sometimes even issue a blanket order continuing all Judge DiBenedetto’s hearings on a particular date. It is my impression that the court issued these continuances in conjunction with Judge DiBenedetto travelling outside of Nome. However, Judge DiBenedetto covered hearings remotely that remained on his calendar when he travelled.

7. Judge DiBenedetto was courteous to jurors, witnesses, and litigants and I had pleasant interactions with him while in court. I also believe he is intelligent, capable, and understands the judicial system. Judge DiBenedetto allowed people to be heard in his courtroom, and I never experienced or witnessed him acting with any form of bias or prejudice.

FURTHER THIS AFFIANT SAYETH NAUGHT.

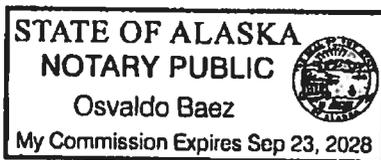


Ashly Crockett

SUBSCRIBED AND SWORN to before me this 15 day of January 2026, at
Nome, Alaska.



Notary Public for the State of Alaska
My commission expires: 9/23/2028



STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to AS 22.3011(a),)
in relation to)
ROMANO DIBENEDETTO)
Judge of the Superior Court,)
SECOND Judicial District at)
Nome Alaska)
_____)

ACJC File No. 2025-001

AFFIDAVIT OF MARLA GRANT

STATE OF ALASKA)
) ss.
SECOND JUDICIAL DISTRICT)

I, Marla Grant, being first duly sworn, depose and state as follows:

1. I started as an in-court criminal clerk with the Nome court in December 2020.

I have been the Clerk of Court since January 9, 2023.

2. I have personal knowledge regarding Judge DiBenedetto's judicial conduct due to my close professional relationship with him, as I am tasked with running the Nome court to his specifications. I have largely had a positive professional relationship with Judge DiBenedetto.

3. On several occasions, I witnessed Judge DiBenedetto reenacting courtroom testimony and interactions with parties appearing in his courtroom, including imitations of people of different minority groups.

4. I once witnessed Judge DiBenedetto speaking with an accent, imitating the testimony of a Vietnamese police officer who had appeared in his courtroom. I was taken aback and felt that the impersonation crossed the line. In my opinion, the police officer did not speak with an accent.

5. Judge DiBenedetto often uses accents and impersonations in his storytelling, including impersonations of his family members and relatives. Judge DiBenedetto's impersonations have occurred in the secured judicial area, off record, and outside of the courtroom. While Judge DiBenedetto may have intended these impersonations to be taken in jest, I found them to be unprofessional and unacceptable.

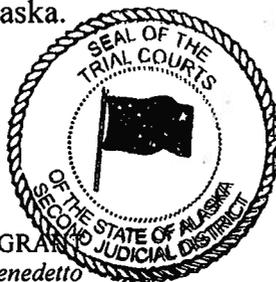
6. Judge DiBenedetto frequently continued court hearings on Thursday afternoons and Fridays to accommodate his travel schedule. Staff were generally able to contact him when he was traveling, although it generally took a series of calls and/or texts. While his judicial assistant's efforts ensured statutory compliance and prevented irreparable harm, the ongoing continuances were an inconvenience to the parties and to court staff.

FURTHER THIS AFFIANT SAYETH NAUGHT.



Marla Grant

SUBSCRIBED AND SWORN to before me this 27th day of Jan 2026, at Nome, Alaska.





Notary Public for the State of Alaska
My Commission Expires: W/position

STATE OF ALASKA
COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to AS 22.3011(a),)
in relation to)
)
ROMANO DIBENEDETTO) ACJC File No. 2025-001
)
Judge of the Superior Court,)
SECOND Judicial District at)
Nome Alaska)
_____)

AFFIDAVIT OF MELISSA SAMUELS

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, Melissa Samuels, being first duly sworn, depose and state as follows:

1. I am the Rural Area Court Administrator for the Second Judicial District.

2. I have personal knowledge regarding Judge DiBenedetto's judicial conduct because I worked with him in my position as the Rural Court Administrator since August 2019.

3. I was in Unalakleet in January 2024 for a motion hearing in *State v. Nance*, 2UT-23-00081CR. The judge requested that the attorneys travel directly from the airport to the courthouse so that they could handle all the pre-trial matters the evening before trial, allowing jury selection to begin the next morning. I was with Judge DiBenedetto at Magistrate Judge Heidi Ivanoff's home that afternoon where he was watching a

championship game on television. No one was drinking alcohol. We could hear the attorneys' plane circling for its landing, so Magistrate Judge Ivanoff left to open the courthouse so that they could be ready when the attorneys arrived from the airport.

4. Magistrate Judge Ivanoff contacted us to let us know that the attorneys were heading to the courthouse. Judge DiBenedetto indicated that he did not intend to leave for the courthouse until the outcome of the game was clear. This information was shared with Magistrate Judge Ivanoff and the involved attorneys. We started driving to the courthouse about forty minutes later.

5. I drove Judge DiBenedetto to the courthouse. As it was dark and I was not familiar with the road, I got lost and needed to stop for directions. I estimate that we were delayed an additional ten minutes. Once we arrived at the courthouse, Judge DiBenedetto told the parties that we had gotten lost, and then promptly went on record.

6. In my experience in working with Judge DiBenedetto, I found him to be very hardworking, prepared, and efficient. He would often work late, past regular court hours and always covered his calendar.

FURTHER THIS AFFIANT SAYETH NAUGHT.


Melissa Samuels

SUBSCRIBED AND SWORN to before me this 23RD day of January 2026, at Anchorage Alaska.


Notary Public for the State of Alaska
My Commission Expires: 2/10