

Office of the
**WYANDOTTE COUNTY
DISTRICT ATTORNEY**



DISTRICT ATTORNEY
Mark A. Dupree, Sr.

29th JUDICIAL DISTRICT OF KANSAS

July 10, 2026

Mark Dupree
710 N. 7th St.
Kansas City, KS 66101

Chief Judge Robert Burns
Division 1
710 N. 7th St.
Kansas City, KS 66101

Chief Judge Burns,

As a result of a repeated pattern of disrespect, hostility, and unprofessionalism exhibited from Judge Anthony Martinez, the District Attorney's Office of Wyandotte County will no longer be appearing in front of Judge Martinez. Similar to the Public Defender's office and a number of attorneys in private practice, the District Attorney's Office no longer finds Judge Martinez's conduct to be tolerable or sustainable for appropriate legal practice. As a result, the District Attorney's Office has filed a judicial complaint against him.

There has been a lengthy pattern of inappropriate behavior from Judge Martinez since taking the bench that spans the last eight years. For instance, Judge Martinez has repeatedly told prosecutors to "quit being nice and prosecute the case," while they attempt to negotiate resolutions with pro se defendants. Judge Martinez has instructed ADAs that he will not allow them to dismiss misdemeanor counts in cases so that he can put defendants in jail. When the

State does attempt to resolve traffic cases, the Court routinely rejects the State's efforts to dismiss misdemeanor traffic charges as part of a plea deal so that the Court may incarcerate defendants. The Court has rejected the State's efforts to amend speeding tickets to a lower fine amount so that the Court can impose the punishment it wants rather than any negotiated deal the State presents. This violates the State's ability to prosecute cases as it sees fit. As noted in *State v. Turner*, 223 Kan. 707 (1978), "...when the prosecutor exercises his discretion as to the charges to be filed or as to amendments of the information seeking to reduce the charges to lesser offenses, the trial judge has no right to substitute his judgment for that of the prosecutor absent some compelling reason to protect the rights of the defendant."

Specifically, at a traffic docket, Judge Martinez called an assistant district attorney over, handed her a docket sheet, and told her exactly what she was allowed to plead the defendant to, what to dismiss, and what costs to assess. On June 18, 2026, Judge Martinez called an ADA to his office to discuss "his rules" of traffic court. Among those rules were, if you are speeding over 30 mph, you go to jail as long as a misdemeanor is there for him to use. Judge Martinez said that he has encouraged Highway Patrol Troopers to write more tickets with misdemeanors so that he may have a basis to jail defendants.

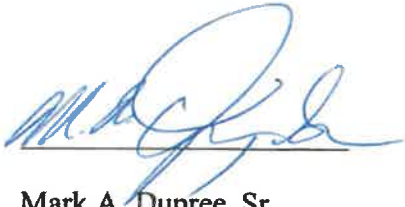
Traffic Court issues are not the only due process and legal violations that Judge Martinez commits. On February 1, 2023, Judge Martinez denied a defendant a right to a trial on his speeding ticket and found him guilty by default, then fined the defendant. He stated that he did not believe a speeding ticket was entitled to a trial. On October 31, 2024, Judge Martinez arrested a defendant at a plea hearing for a violation of his pretrial conditions. He denied that defendant due process by telling defense counsel and the prosecutor that they were not allowed to speak and that doing so would only make it worse. On April 14, 2026, Judge Martinez

conducted a hearing where a defendant's attorney was not present due to a medical appointment. Judge Martinez conducted the hearing anyway, granting the State's motion to amend charges and denying the defendant's motion due to his attorney's absence.

In addition, Judge Martinez has made a number of inappropriate comments to assistant district attorneys and interns from the bench and while in chambers. Judge Martinez told an assistant district attorney that his tie was crooked and that he needs to, "look important, not imported." This comment, to an attorney who is Hispanic, was exceptionally disrespectful and unprofessional. In another instance, Judge Martinez pulled a black female intern aside after the traffic docket and told her to stop being nice and instead prosecute crimes. This came after the intern had dismissed some charges against a black defendant. Judge Martinez told the intern that she should not let the fact that a defendant is black cloud her judgment and should not treat the defendant differently based on his race. He told the intern that she should not consider race when prosecuting cases. He additionally told this intern not to tell her bosses or supervisors that they had a conversation. These comments are far beyond the scope of what is appropriate for a judge to say to anyone, let alone young attorneys and interns.

Finally, on July 9, 2026, Judge Martinez conducted a hearing on a contempt motion that involved an assistant district attorney and the DA's office. The ADA listed in the complaint appeared as did I, as the District Attorney, and lead prosecutor in the jurisdiction. I attempted to advocate on behalf of my office and my employee but was met with hostility and disrespect by Judge Martinez. He asked opposing counsel if it was ok with them that I be the one arguing for the State and then interrupted and spoke over me when I began to argue the State's case. At one point, Judge Martinez effectively told me to sit down and shut up so he could functionally cross-examine the assistant district attorney. Later in the hearing, while I was conferring with the

assistant district attorney in question, Judge Martinez threatened to remove me from counsel's table and have me sit in the back of the room. The lack of decorum and respect for me, as I was arguing the case, was just one last example in eight years of examples of Judge Martinez's unprofessionalism from the bench. We have reached a point where the District Attorney's Office is now compelled to file a disciplinary complaint and is now conflicted off of Judge Martinez's cases. We cannot and will not be appearing in front of him moving forward.

A handwritten signature in blue ink, appearing to read 'M. Dupree', written over a horizontal line.

Mark A. Dupree, Sr.
District Attorney for the 29th Judicial District