

9-212A. Bench warrant.

[For use with Metropolitan Court Rule 7-207 NMRA]

STATE OF NEW MEXICO
COUNTY OF _____
IN THE METROPOLITAN COURT

No. _____

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

_____, Defendant

DOB: _____

Address: _____

S.S.# _____

BENCH WARRANT

THE [STATE OF NEW MEXICO] [MUNICIPALITY OF _____]

TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

YOU ARE HEREBY COMMANDED to arrest the above-named defendant and bring the defendant before this court to answer the following charges checked below unless released as indicated in the return:

(check applicable box and describe facts below)

- failure to appear as ordered by this court on _____;
- failure to appear as required by a subpoena issued by this court for _____;
- failure to appear in accordance with the conditions of release imposed by this court for _____;
- conditions of release previously imposed should be revoked or reviewed;
- contempt of court for _____;
- failure to pay fines or costs previously imposed by order entered _____ *(date)*;
- failure to comply with conditions of probation as set forth in an order entered _____ *(date)*;
- failure to appear at first offender program on _____;
- other _____ *(set forth any additional essential facts underlying issuance of this warrant).*

(check and complete, if applicable)

The defendant failed to appear either on a traffic citation other than a citation issued for a violation listed in Section 66-8-122 or 66-8-125 NMSA 1978 or a citation issued by an official authorized by law and may be released on a plea of guilty and payment of \$_____ plus a \$100 bench warrant fee;¹

OR

The defendant failed to pay fines and costs and the defendant may be released upon payment of the outstanding fine and court costs in the amount of \$_____ plus a \$100 bench warrant fee;¹

OR

The defendant may be released on bond in the amount of \$_____. The bench warrant fee will be collected on appearance.

THIS WARRANT MAY BE EXECUTED:

- in any jurisdiction;
- anywhere in this state;
- anywhere in this county;
- anywhere in this city.

The clerk of this court shall cause this warrant to be entered into a law enforcement information system²:

- maintained by the state police.
- _____ (*identify other law enforcement information system*).

Date

Judge

RETURN

The defendant was arrested and taken into custody on the _____ day of _____, _____.

- The defendant was released on bond in the amount set forth above.
- The defendant was released upon receipt of the fine and court costs set forth above. I have caused this warrant to be removed from the law enforcement information system identified in this warrant.

Signature

USE NOTES

1. A \$100 bench warrant fee is assessed in the metropolitan court pursuant to Section 34-8A-12 NMSA 1978.
2. All metropolitan court felony misdemeanor and driving while under the influence of intoxicating liquor or drugs warrants must be entered into a law enforcement information system.

[Approved by Supreme Court Order 07-8300-34, effective January 22, 2008.]