

9-212B

[6-207, 7-207, 8-206]

[For use with Magistrate Court Rule 6-207,
Metropolitan Court Rule 7-207 and
Municipal Court Rule 8-206]

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
IN THE _____ COURT

[STATE OF NEW MEXICO]
[CITY OF _____]

v. No. _____

_____, Defendant

DOB: _____ Address: _____
S.S.# _____

JUVENILE TRAFFIC BENCH WARRANT¹

(check applicable box)

- RESTRICTION ON WARRANT.² The defendant is a juvenile. Arrest the defendant only during court hours after confirming a judge is available for immediate appearance. Do not incarcerate this defendant.**
- UNRESTRICTED WARRANT.³ A children's court judge has approved the arrest and incarceration of this juvenile.**

THE (STATE OF NEW MEXICO) (MUNICIPALITY OF _____)
TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

YOU ARE 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 fee⁴;

OR

- The defendant failed to pay fines and costs and defendant may be released upon payment of the outstanding fine and court costs in the amount of \$_____ plus a \$100 bench warrant fee⁴;

OR

- The defendant may be released on bond in the amount of \$_____. The bench warrant fee will be collected upon 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 system⁵:

- 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

Title

USE NOTES

1. *This form may be used in municipal, magistrate or metropolitan court traffic cases.*

2. *Check this alternative unless a children's court judge has authorized the incarceration of the juvenile. See Section 32A-2-29 NMSA 1978 for the procedure to be followed when a child is to be incarcerated.*
3. *Check this alternative if a children's court judge has authorized that the juvenile be arrested and incarcerated pursuant to Section 32A-2-29 NMSA 1978.*
4. *A \$100 bench warrant fee is assessed in the metropolitan court pursuant to Section 34-8A-12 NMSA 1978 and in the magistrate court pursuant to Section 35-6-5 NMSA 1978.*
5. *All metropolitan court and magistrate 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, effective March 1, 2000.]