**9-211. Affidavit for bench warrant.**

[For use with District Court Rule 5-209 NMRA,

Magistrate Court Rule 6-207 NMRA,

Metropolitan Court Rule 7-207 NMRA and

Municipal Court Rule 8-206 NMRA]

STATE OF NEW MEXICO

[COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

[CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

No. \_\_\_\_\_\_\_\_\_\_

[STATE OF NEW MEXICO]

[COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

[CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

v.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Defendant

**AFFIDAVIT FOR BENCH WARRANT**

The undersigned, being duly sworn, on his oath, states that he has reason to believe that on or about the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , \_\_\_\_\_\_\_\_ , in the (*County*) (*City*) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , State of New Mexico, the above-named person:

(*check appropriate box or boxes*)

[ ] failed to appear at the time and place ordered by this court

[ ] failed to appear as required by a subpoena issued by this court

[ ] failed to appear in accordance with the conditions of release imposed by this court

[ ] should appear for review of conditions of release previously imposed

[ ] failed to pay fines or costs previously imposed

[ ] failed to comply with conditions of probation

[ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*describe contempt*)

The undersigned further states the following facts on oath to establish probable cause to believe that the above-named person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*set forth facts in support of affidavit including any hearsay relied upon*)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Affiant's name (*print/type*)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of affiant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Official title (*if any*)

Subscribed and sworn to

before me in the above-named

(*county*) (*city*) of the

State of New Mexico this \_\_\_\_\_\_\_\_\_\_\_\_

day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , \_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge, Notary or Other Officer

Authorized to Administer Oaths

*NOTE: This form is needed only if the judge does not have personal knowledge of the failure to appear or do the thing ordered.*

[As amended, effective January 1, 1996.]