**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

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

Title

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.

[Effective, January 1, 1993; as amended, effective January 1, 1995; January 1, 1996; July 1, 1999; as amended by Supreme Court Order No. 07-8300-034, effective January 22, 2008.]