

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

STATE OF NEW MEXICO,
Plaintiff,

v.

No. D-101-CR-2024-00013

ALEXANDER RAE BALDWIN III,
Defendant.

**ORDER DENYING STATE'S MOTION FOR EXTENSION OF PAGE LIMITS TO
STATE'S MOTION TO RECONSIDER DISMISSAL WITH PREJUDICE**

THIS MATTER came before the Court on the State's Motion for Extension of Page Limits to State's Motion to Reconsider Dismissal with Prejudice, filed August 30, 2024. Having reviewed the briefing, and being otherwise fully advised, THE COURT FINDS, CONCLUDES, AND ORDERS:

1. The Court rules on the filed pleading without hearing. *See* Rule LR1-305(D) NMRA.
2. On August 30, 2024, the State filed a 52-page State's Motion to Reconsider Dismissal with Prejudice. The State additionally filed 387 pages of exhibits for consideration with its motion.
3. The State did not obtain advance leave of court to file its motion well in excess of page limits. Local Rule LR1-305(A) NMRA requires entry of an order of the Court when a party seeks to file a brief in excess of ten pages. *See* LR1-305(A) NMRA ("A brief or memorandum shall not exceed ten (10) pages, not including the cover page, conclusion, certificate of service, and exhibits, without an order of the court."); *see also* Feb. 6, 2024 Scheduling Order ¶ 5 ("The parties shall follow all local motion


practice rules, including rules on page limitations and package procedure, set forth in Local Rule LR1-305 NMRA.”).

4. Given the procedural posture of the case, the Court must enforce the local rule to regulate the Court’s docket and promote judicial efficiency. *See State ex rel. N.M. State Highway & Transp. Dep’t v. Baca*, 1995-NMSC-033, ¶ 27, 120 N.M. 1 (“[A] court’s inherent authority extends to all conduct before that court and encompasses orders intended and reasonably designed to regulate the court’s docket, promote judicial efficiency, and deter frivolous filings.”); *see generally State v. Armijo*, 1994-NMCA-136, ¶ 41 n. 2, 118 N.M. 802 (“We caution counsel to comply in the future with our rules of appellate procedure. Sanctions may be appropriate for any future violation. More importantly, in our experience briefs that exceed the page limits, even when this Court has approved the additional pages, are almost invariably unpersuasive. A winning argument can fit within the limitations of the rule.”).
5. The Court finds that the State’s Motion for Extension of Page Limits to State’s Motion to Reconsider Dismissal with Prejudice is not well-taken and should be denied.

CONCLUSION

IT IS THEREFORE ORDERED that the State’s August 30, 2024 Motion for Extension of Page Limits to State’s Motion to Reconsider Dismissal with Prejudice is hereby DENIED.

IT IS HEREBY ORDERED.



MARY MARLOWE SOMMER
DISTRICT COURT JUDGE
DIVISION VIII

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date of acceptance for e-filing a true and correct copy of the foregoing was e-served on counsel registered for e-service in this matter as listed below.

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