[Extreme Risk Firearm Protection Order Act,

NMSA 1978, Sections 40-17-1 to -13]

STATE OF NEW MEXICO COUNTY OF Choose an item.

Choose an item. JUDICIAL DISTRICT

IN THE MATTER OF AN EXTREME RISK

FIREARM PROTECTION ORDER FOR

Name of Person ERFPO requested for (RESPONDENT)

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

**PETITION FOR EXTREME RISK FIREARM PROTECTION ORDER**

**SECTION I. PETITIONER (*Petitioner must be a law enforcement officer working for a law enforcement agency as defined under the Extreme Risk Firearm Protection Order Act (“Act”))***

**Petitioner is employed by the following type of agency:**

Police Department  District Attorney’s Office

Sheriff’s Office  Attorney General’s Office

State Police

1. Petitioner’s name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Badge/CAID Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Law Enforcement Agency Petitioner works for: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Law Enforcement Agency’s address:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
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4. Law Enforcement Agency’s telephone number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SECTION II. PERSON WHO COMPLETED THE AFFIDAVIT OR STATEMENT**

In support of this petition, I am attaching as Exhibit “A”:

Affidavit of the Reporting Party

**OR**

Statement from the Law Enforcement Officer.

1. **Reporting Party**

1. Reporting Party’s full name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Reporting Party’s relationship to Respondent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Reporting Party’s address:

1. The Reporting Party has completed a Request to Omit the Reporting Party’s Contact Information.

**OR**

b. Reporting Party’s address (Do NOT complete if 3a is checked above)

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

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

**B. Law Enforcement Officer**

1. Law enforcement officers full name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Law enforcement agency name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Law enforcement officer’s agency address:

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

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**SECTION III. RESPONDENT**

1. Respondent’s full legal name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Respondent’s date of birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Respondent’s address:

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

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**SECTION IV. BASIS FOR PETITION**

In support of this petition, the undersigned Law Enforcement Officer swears or affirms that based upon credible information in the attached Exhibit A (*select one option*):

Affidavit of the Reporting Party

**OR**

Statement from the Law Enforcement Officer

there is probable cause to believe the Respondent poses a significant danger of causing imminent personal injury to self or others by having custody or control of a firearm *or* by purchasing, possessing or receiving a firearm. The undersigned Law Enforcement Officer has probable cause to believe the following factors should be considered by the Court when determining whether to issue a temporary extreme risk firearm protection order:

A recent act or threat of violence by the Respondent against self or others, regardless of whether the act or threat involved a firearm;

A pattern of acts or threats of violence by the Respondent within the past twelve months, including acts or threats of violence against self or others;

The Respondent’s mental health history;

The Respondent’s use of controlled substances or alcohol;

The Respondent’s previous violations of any court order;

Previous extreme risk firearm protection orders issued against the Respondent;

The Respondent’s criminal history, including arrests and convictions for violent felony offenses, violent misdemeanor offenses, crimes involving domestic violence or stalking;

The Respondent’s history of the use, attempted use or threatened use of physical violence against another person; of stalking another person; or of cruelty to animals; and

Any recent acquisition or attempts at acquisition of a firearm by the Respondent.

Other considerations: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FIREARMS.** The quantities, types, and total number of all firearms the Petitioner believes to be in the Respondent’s ownership, possession, custody, or control are listed below and/or attached as Exhibit B.

**Type of Firearm Number Location Ammunition**

|  |  |  |  |
| --- | --- | --- | --- |
| Long gun (*includes rifles and shotguns*) | \_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Yes  No  Unknown |
| Handgun (*includes revolvers and pistols*) | \_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Yes  No  Unknown |
| Other *(includes any other firearms)*:  \_\_\_\_\_\_ | \_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Yes  No  Unknown |

**TOTAL NUMBER OF FIREARMS:** \_\_\_\_\_

**LEGAL ACTION(S) BETWEEN REPORTING PARTY AND THE RESPONDENT.**

Lawsuit. *Please describe:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Complaint. *Please describe:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Petition. *Please describe:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Restraining Order.  *Date Issued:* \_\_\_\_\_\_\_\_ *Issued by:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Injunction. *Please describe:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other Legal Action. *Please describe:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

None.

For the foregoing reasons, Petitioner respectfully requests the court enter a Temporary Extreme Risk Firearm Protection Order and schedule a hearing to be held within 10 days of the issuance of a Temporary Extreme Risk Firearm Protection Order to determine if a One-Year Extreme Risk Firearm Protection Order should be entered.

Respectfully submitted this day of , 20\_\_\_\_.

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

*Signature of Petitioner*

[Approved for use by Supreme Court Order No. S-1-AO-2025-00009.]