

4-1002. Petition for extreme risk firearm protection order.
[Extreme Risk Firearm Protection Order Act,
NMSA 1978, Sections 40-17-1 to -13]

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT

IN THE MATTER OF AN EXTREME RISK
FIREARM PROTECTION ORDER FOR

_____ (RESPONDENT)
_____ (Respondent's full date of birth)

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, NMSA 1978, Section 40-17-1 to -13*)

Petitioner is employed by the following type of agency:

- | | |
|--|---|
| <input type="checkbox"/> Police Department | <input type="checkbox"/> District Attorney's Office |
| <input type="checkbox"/> Sheriff's Office | <input type="checkbox"/> Attorney General's Office |
| <input type="checkbox"/> State Police | |

1. Petitioner's name: _____

Badge/CAID Number: _____

2. Law Enforcement Agency Petitioner works for: _____

3. Law Enforcement Agency's address:

_____ *street address*

_____ *city* _____ *state* _____ *zip*

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.

A. Reporting Party

1. Reporting Party's full name: _____

2. Reporting Party's relationship to Respondent: _____

3. Reporting Party's address:

a. 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)

_____ *street address*

_____ *city* _____ *state* _____ *zip*

B. Law Enforcement Officer

1. Law enforcement officers full name: _____

2. Law enforcement agency name: _____

3. Law enforcement officer's agency address:

_____ *street address*

_____ *city* _____ *state* _____ *zip*

SECTION III. RESPONDENT

1. Respondent's full legal name: _____

2. Respondent's date of birth: _____

3. Respondent's address:

_____ *street address*

_____ *city* _____ *state* _____ *zip*

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 (12) 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
<input type="checkbox"/> Long gun (<i>includes rifles and shotguns</i>)			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input type="checkbox"/> Handgun (<i>includes revolvers and pistols</i>)			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input type="checkbox"/> Other (<i>includes any other firearms</i>):			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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 ten (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

[Adopted by Supreme Court Order No. S-1-RCR-2024-00097, effective for all cases filed on or after December 31, 2025.]