

**SUMMONS**

District Court: SEVENTH TORRANCE County, New Mexico Court Address: P.O. BOX 78 903 N. 5 <sup>TH</sup> STREET, ESTANCIA NM 87016 Court Telephone Number.: 505-384-2974	Case Number: D-722-DM-_____ Judge: _____
Petitioner(s): _____ v. Respondent(s): _____	Respondent Name: _____ Address: _____ _____

**TO THE ABOVE NAMED RESPONDENT(S):** Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at [www.nmbar.org](http://www.nmbar.org); [1-800-876-6657] 1-800-876-6227; or 1-505-797-6066.

Dated at ESTANCIA, New Mexico, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ANGELA SIMPSON  
CLERK OF COURT

By: \_\_\_\_\_  
Deputy

Attorney for Petitioner or  
Petitioner pro se  
Name:  
Address:  
Telephone No.:  
Fax No.:  
Email Address:

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 NMRA OF THE NEW MEXICO RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

**RETURN<sub>1</sub>**

STATE OF NEW MEXICO            )  
  )ss  
COUNTY OF \_\_\_\_\_         )

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in \_\_\_\_\_ county on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

***(check one box and fill in appropriate blanks)***

to the respondent \_\_\_\_\_ (*used when respondent accepts a copy of summons and complaint or refuses to accept the summons and complaint*)

to the respondent by [mail] [courier service] as provided by Rule 1-004 NMRA (*used when service is by mail or commercial courier service*).

After attempting to serve the summons and complaint on the respondent by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

to \_\_\_\_\_, a person over fifteen (15) years of age and residing at the usual place of abode of respondent \_\_\_\_\_, (*used when the respondent is not presently at place of abode*) and by mailing by first class mail to the respondent at \_\_\_\_\_ (*insert respondent's last known mailing address*) a copy of the summons and complaint.

to \_\_\_\_\_, the person apparently in charge at the actual place of business or employment of the respondent and by mailing by first class mail to the respondent at \_\_\_\_\_ (*insert respondent's business address*) and by mailing the summons and complaint by first class mail to the respondent at \_\_\_\_\_ (*insert respondent's last known mailing address*).

to \_\_\_\_\_, an agent authorized to receive service of process for respondent \_\_\_\_\_.

to \_\_\_\_\_, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of respondent \_\_\_\_\_ (*used when respondent is a minor or an incompetent person*).

to \_\_\_\_\_ (*name of person*), \_\_\_\_\_, (*title of person authorized to receive service. Use this alternative when the respondent is a corporation or an association subject to a suit under a common name, a land grant board of*

*trustees, the State of New Mexico or any political subdivision).*

Fees: \_\_\_\_\_

\_\_\_\_\_  
Signature of person making service

\_\_\_\_\_  
Title (*if any*)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.<sup>2</sup>

\_\_\_\_\_  
Judge, notary or other officer  
authorized to administer oaths

\_\_\_\_\_  
Official title

#### USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the respondent.

2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013; as amended by Supreme Court Order No. 13-8300-022, effective for all cases pending or filed on or after December 31, 2013; as amended by Supreme Court Order No. 14-8300-017, effective for all cases pending or filed on or after December 31, 2014.]