

TWELFTH JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF _____

_____,
Petitioner,
vs.

Cause No. _____

New Mexico Department of Workforce Solutions,
and

Administrative No. _____

Respondents. *(Former Employer or Employee),*

PETITION FOR WRIT OF CERTIORARI

Petitioner appeals from the decision of the Workforce Transition Services Division of the State of New Mexico Department of Workforce Solutions in this case and states the following in support of this petition for a writ of certiorari:

1. Petitioner resides in _____ County, New Mexico, and venue is therefore properly in this court.

2. This petition is timely filed within thirty (30) days from the date of the final decision of the secretary of the Department of Workforce Solutions or the board of review. The date of the final decision is _____, and copy of the final decision is attached to this petition.

3. This matter involves:

an appeal by an individual on a ruling for unemployment benefits (no filing fee required).

an appeal by an employer appealing an award of unemployment benefits (filing fee required).

4. Statement of the Issues (list each issue and why you believe the final decision is incorrect).

Issue No. 1: _____

Reason you believe this decision/order is incorrect: _____

Issue No. 2: _____

Reason you believe this decision/order is incorrect: _____

Issue No. 3: _____

Reason you believe this decision/order is incorrect: _____

Issue No. 4: _____

Reason you believe this decision/order is incorrect: _____

5. Summary of Proceedings:

A. Nature of the case and a concise summary of the proceedings:

B. The course of the proceedings:

Date of termination by employer: _____

Date of filing application for unemployment benefits: _____

Date of appeal of order granting/denying unemployment benefits: _____

Date of final decision by secretary or board _____

C. The disposition (ruling) of the secretary or board of review:

D. How were the proceedings before the agency preserved (check all that apply):

- A court reporter or court monitor recorded the proceedings.
- A court reporter or court monitor was not present, but the proceedings were recorded and there are is an audio record.
- I am not aware of any audio recordings of the proceedings.
- Other: _____
- Unknown

Statement of Relief Sought

5. Petitioner asks the court to issue a writ of certiorari to review the issues listed above. A copy of the proposed writ of certiorari is attached to this petition. (*See Form 4-832 NMRA*). Petitioner also asks the court to provide the following relief after reviewing this petition and issuing the writ (*complete if additional relief is sought*):

Respectfully Submitted,

Signature

Print Name

Address

City, State, Zip Code

Phone Number

CERTIFICATE OF SERVICE

I certify that I caused a copy of this petition for writ of certiorari to be served on the following persons or entities by (*delivery*) (*certified mail, postage prepaid*) on this _____ day of _____, 20_____:

(1) Office of General Counsel of the State of New Mexico Department of Workforce Solutions

Address: _____

(2) _____

(*Name of Respondent - Former Employer or Employee*)

Address: _____

(3) _____

(*Name of any other party to the proceedings*)

Address: _____

Signature of Petitioner or
Attorney for Petitioner

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Respondents. *(Former Employer or Employee),*

WRIT OF CERTIORARI

To: Office of General Counsel of the State of New Mexico Department of Workforce Solutions

The court has reviewed the petition for writ of certiorari filed in the above-styled case and finds the following:

1. The court has jurisdiction over the Workforce Transition Services Division of the State of New Mexico Department of Workforce Solutions and the other named Respondent and venue is proper in this county;
2. The petitioner has a statutory right to judicial review of the administrative decision in the above-styled case under the Unemployment Compensation Law; and
3. The petition seeks relief from the administrative decision on one or more of the grounds set forth in Subparagraphs (1), (2), or (3) of Paragraph J of Rule 1-077 NMRA.

IT IS FURTHER ORDERED that the Workforce Transition Services Division of the State of New Mexico Department of Workforce Solutions prepare and file with this court within twenty (20) days from the date of service of this writ the record on appeal in compliance with Paragraph G of Rule 1-077 NMRA.

IT IS FURTHER ORDERED that the review in this case shall proceed in compliance with Rule 1-077 NMRA.

Date

District Court Judge

CERTIFICATE OF SERVICE

I certify that I caused a copy of this petition for writ of certiorari to be served on the following persons or entities by (check one): certified mail, other: _____, on this _____ day of _____, 20_____:

(1) Office of General Counsel of the State of New Mexico Department of Workforce Solutions
Address: _____

(2) _____
(Name of Respondent - Former Employer or Employee)
Address: _____

(3) _____
(Name of any other party to the proceedings)
Address: _____

Signature of Petitioner or
Attorney for Petitioner