

4-309. Thirty (30)-day notice of intent to dismiss for failure to prosecute.

[For use with Rule 2-305 NMRA]

STATE OF NEW MEXICO
IN THE _____ COURT
_____ COUNTY

_____, Plaintiff,

v. _____ No. _____

_____, Defendant.

**THIRTY (30)-DAY NOTICE OF INTENT TO
DISMISS FOR FAILURE TO PROSECUTE**

This action has been pending for six (6) months from the date the complaint was filed. The court finds that [the plaintiff] [the defendant asserting a counterclaim] has failed to take any available steps to have the claims resolved. If the [the plaintiff] [the defendant asserting a counterclaim] fails to take any available steps to bring the case to trial or otherwise prosecute the claims within thirty (30) days after service of this notice, the court shall dismiss the claims without prejudice for failure to prosecute.

Judge

[Adopted by Supreme Court Order No. 16-8300-021, effective for all cases pending or filed on or after December 31, 2016.]