

4-305

**[For use with Magistrate Court Rule 2-305 and
Metropolitan Court Rule 3-305]**

STATE OF NEW MEXICO
COUNTY OF _____
_____ COURT

No. _____

_____, Plaintiff

v.

_____, Defendant

NOTICE OF DISMISSAL OF COMPLAINT¹

Plaintiff hereby dismisses plaintiff's complaint without prejudice.

Plaintiff or attorney for plaintiff

CERTIFICATE OF SERVICE²

I hereby certify that on this ____ day of _____, _____ this _____
(insert paper served, such as "answer" or "notice") was

[mailed by United States first class mail, postage prepaid, and addressed to:

Name: _____
Address: _____
City, State
and zip code: _____]

[faxed by _____ (name of person who faxed document) to
_____ (name of recipient) at _____ (telephone number).
The transmission was reported as complete. The time and date of the transmission was
_____ (a.m.) (p.m.) on _____ (date).]

[e-mailed to _____ (name of party or attorney) at _____
(electronic mail address of recipient) upon agreement of the party to accept electronic
service. The transmission was reported as complete. The time and date of the transmission
was _____ (p.m.) (a.m.) on _____ (date)].]

[delivered to _____ (Specify how service by delivery was made.
See Use Note 1 for the methods service may be made using this alternative)
_____:]

Signature of person sending paper

Date of signature

USE NOTES

1. This form may not be used if the defendant has filed an answer or other responsive pleading. Civil Form 4-306A NMRA is used if the defendant has filed an answer or other responsive pleading.
2. This request must be served on all other parties pursuant to Rule 2-203 NMRA or Rule 3-203 NMRA. *See also* Rule 2-307 NMRA for how motions are presented to the court.

[As amended, effective November 1, 2000; March 21, 2005.]