

9-101

**[For use with District Court Rule 5-106,
Magistrate Court Rule 6-106,
Metropolitan Court Rule 7-106 and
Municipal Court Rule 8-106]**

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]

_____ COURT No. _____

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

_____, Defendant

**NOTICE OF [EXCUSAL] FACTS REQUIRING RECUSAL
(CONSTITUTION OR CODE OF CONDUCT)¹**

The undersigned believes that the impartiality of the Honorable _____ may reasonably be questioned because: _____
_____ (set forth specific facts which prohibit the judge from presiding. The facts must be grounds for excusal under the New Mexico Constitution or the Code of Judicial Conduct.)

The undersigned believes that participation of the above-named judge would be in violation of _____ of the Code of Judicial Conduct.

Signature of party

USE NOTE

1. Each party must be served with a copy of this notice. See Rules 6-209, 7-209 and 8-208 NMRA. See Criminal Form 9-221 for the certificate of service and affidavit of service.

[As amended, effective November 1, 1995; May 1, 2002.]