

9-103A. Notice of excusal.

[For use with Magistrate Court Rule 6-106 NMRA]

STATE OF NEW MEXICO
COUNTY OF _____
_____ COURT

No. _____

STATE OF NEW MEXICO
COUNTY OF _____

v.

_____, Defendant

NOTICE OF EXCUSAL¹

The undersigned hereby notifies the court that the Honorable _____ is excused from presiding over the above-captioned case.

Dated this ____ day of _____, _____.

Party or attorney for the party

OPTIONAL STIPULATION

By our signatures below we stipulate that the Honorable _____ be assigned to preside over the above captioned case.

Dated this _____ day of _____, _____.

Party or attorney for the party

Dated this _____ day of _____, _____.

Party or attorney for the party

USE NOTES

1. The parties must stipulate to a statutorily authorized judge.
2. If the parties agree to request a different judge, the court must be informed of the

agreement when the notice of excusal is filed. *See* Rule 6-105 NMRA.

3. Each party must be served with a copy of this notice. *See* Rule 6-209 NMRA. *See* Criminal Form 9-221 NMRA for the certificate of service and affidavit of service.

[Approved by Supreme Court Order 07-8300-34, effective January 22, 2008.]