

**9-113. Order on motion to seal court records.**

[For use with Magistrate Court Rule 6-114 NMRA,  
Metropolitan Court Rule 7-113 NMRA, and Municipal Court Rule 8-112 NMRA]

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]

v. \_\_\_\_\_ No. \_\_\_\_\_  
\_\_\_\_\_, Defendant.

**ORDER ON MOTION TO SEAL COURT RECORDS**

THIS MATTER having come before the Court upon a motion to seal court records, and the Court being otherwise fully advised, FINDS:

- That the motion is well-taken and is GRANTED because:
  1. There exists an overriding interest that overcomes the right of public access to the court record and supports sealing the court record;
  2. There is a substantial probability that the overriding interest will be prejudiced if the court record is not sealed;
  3. The proposed sealing is narrowly tailored; and
  4. There are no less restrictive means to achieve the overriding interest.
  5. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
*(Insert detailed facts that support each finding above. Note: This paragraph will need to be sealed from public access as it may reveal too much about what is being sealed. Delete these instructions in the final order.)*

- That the motion is not well-taken and is DENIED. The court clerk is instructed to return any lodged pleadings to the pro se party or counsel of record who filed the motion.

*(Complete the following only if motion is GRANTED.)*

**IT IS THEREFORE ORDERED THAT:**

The following court records are sealed from public access:

- Motion to seal
- Brief in support of motion to seal
- Response to motion to seal
- Reply to response to motion to seal

- Lodged pleading now named \_\_\_\_\_ (*e.g., Sealed Affidavit or Sealed Pleading*)
- Individual docket entries for each of the court records sealed above shall also be sealed and titled: \_\_\_\_\_.
- Entire court case file shall be sealed and the case shall now be referred to as, “*In the Matter of a Sealed Case,*” but the court case number shall remain the same.
- Register of actions
- \_\_\_\_\_ (*other*)

Only the following individuals shall be authorized to have access to the sealed court records:

- Judge
- Court personnel
- Prosecutor
- Defendant
- Counsel of record
- Local, state, tribal, and federal agencies authorized by law to collect or use the information (criminal justice agencies)
- \_\_\_\_\_ (*other*)

The Movant is hereby ordered to prepare redacted copies of the sealed court records that may be made available for public access.

This order shall remain in effect until \_\_\_\_\_ (*date*) or until further order of the court.

Notice will be given to the following upon any future motions to unseal this order or modify this sealing order:

Name and address of Prosecutor:

\_\_\_\_\_  
\_\_\_\_\_

Name and address of Defendant:

\_\_\_\_\_  
\_\_\_\_\_

Name and address of non-party entitled to notice:

\_\_\_\_\_  
\_\_\_\_\_

Name and address of non-party entitled to notice:

\_\_\_\_\_  
\_\_\_\_\_

[*Email addresses should also be provided above, if available. Service by email is limited under Rules 6-211, 7-211, and 8-210 NMRA.*]

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Judge

[Adopted by Supreme Court Order No. 13-8300-035, effective for all cases pending or filed on or after December 31, 2013.]