

9-308. Order setting aside bond forfeiture.

[For use with District Court Rule 5-406 NMRA,
Magistrate Court Rule 6-406 NMRA,
Metropolitan Court Rule 7-406 NMRA and
Municipal Court Rule 8-406 NMRA]

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

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

v. No. _____

_____, Defendant

[and _____, (surety)

_____, (surety)]

**ORDER SETTING ASIDE
BOND FORFEITURE**

The court held a hearing on _____ (date) to determine whether a judgment of default should be entered on the defendant's bond(s).

The court finds that the defendant failed to appear as required.

The court further finds that the following good cause has been shown why the defendant failed to appear:

(check appropriate alternative)

[] the defendant was incarcerated in _____ located at

_____.

[] the defendant was hospitalized at the time of the hearing in _____ hospital located at _____.

[] the defendant failed to appear because: (set forth other good cause)

_____.

The court further finds that the defendant has been brought before this court and is now available for further proceedings in the above case.

The court further finds that a judgment of default on the bond(s) has not been entered in the above case.

IT IS ORDERED that the forfeiture previously entered by this court is set aside.

Judge

[Adopted, effective, October 1, 1987; as amended by Supreme Court Order No. 17-8300-005, effective for all cases pending or filed on or after July 1, 2017.]