

**9-409A. Motion to compel discovery.**

[For use with Magistrate Court Rule 6-504 NMRA  
and Municipal Court Rule 8-504 NMRA]

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

No. \_\_\_\_\_

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

v.

\_\_\_\_\_, Defendant

**MOTION TO COMPEL DISCOVERY**

The [defendant] [prosecution] has previously requested the following discovery \_\_\_\_\_ (*provide description*) and the [defendant] [prosecution] failed to provide the discovery.

The [defendant] [prosecution] requests the court to:

- order the [defendant] [prosecution] to produce the discovery or inspection of materials not previously disclosed
- grant a continuance of the trial setting on \_\_\_\_\_ (*date*) to allow the completion of discovery;
- \_\_\_\_\_ (*describe other relief*).

I acknowledge that the filing of this motion does not diminish my continuing duty to fully comply with the pretrial scheduling order or rules of procedure.

Date: \_\_\_\_\_

\_\_\_\_\_  
[Prosecutor] [Defendant]

[Approved by Supreme Court Order 07-8300-25, effective November 1, 2007.]