

9-503

[For use with Magistrate Court Rule 6-606,
Metropolitan Court Rule 7-606 and
Municipal Court Rule 8-602]

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

[STATE OF NEW MEXICO]
[CITY OF _____]

v. _____ No. _____
_____, Defendant

SUBPOENA

FOR APPEARANCE OF PERSON:

- FOR TRIAL**
- FOR HEARING**
- TO PRODUCE DOCUMENTS OR OBJECTS AT A HEARING OR TRIAL**

TO: _____

YOU ARE HEREBY COMMANDED TO APPEAR as follows: PLACE:

_____ BEFORE JUDGE: _____

DATE: _____, _____ TIME: _____ [a.m.] [p.m.] to:

- testify at trial
- produce for trial or hearing the following described books, documents or tangible things _____
_____.

YOU ARE ALSO COMMANDED to bring with you the following (*describe document or objects to be produced*) _____

IF YOU DO NOT COMPLY WITH THIS SUBPOENA, you may be held in contempt of court and punished by fine or imprisonment.

_____, _____.

(Judge) (Clerk) (Attorney)

RETURN FOR COMPLETION BY SHERIFF OR DEPUTY

I certify that on the ____ day of _____, _____, in said [county] [city], I served this subpoena on _____ by delivering to the person named a copy of the subpoena, a witness fee in the amount of _____ and mileage in the amount of \$ _____¹.

Name of law enforcement officer

Title

**RETURN FOR COMPLETION BY OTHER PERSON
MAKING SERVICE²**

CERTIFICATE OF SERVICE

I certify that I served the above subpoena on _____ (*name of person served*) on the ____ day of _____, _____, by delivering a copy to the person named a copy of the subpoena, a witness fee in the amount of _____ and mileage in the amount of \$ _____¹.

Person making service

Title (if any)

SUBSCRIBED AND SWORN to before me this ____ day of _____,
_____.

Judge, Notary or Other Officer
Authorized to Administer Oaths

Fees: _____

THIS SUBPOENA issued at request of:

Name

Address

Telephone

CERTIFICATE OF SERVICE BY ATTORNEY

I certify that I caused a copy of this subpoena to be served on the following persons or entities by (delivery) (mail) on this ____ day of _____, ____:

(1) _____
(Name of party)

(Address)

(2) _____
(Name of party)

(Address)

Attorney

Signature

Date of signature

USE NOTES

- 1. If a person's attendance is commanded, one full day's per diem must be tendered with the subpoena, unless the subpoena is issued on behalf of the state or an officer or agency thereof. Mileage must also be tendered at the time of service of the subpoena as provided by the Per Diem and Mileage Act. Payment of per diem and mileage for subpoenas issued by the state is made pursuant to regulations of the Administrative Office of the Courts.*
- 2. If service is by someone other than an attorney, an affidavit of service must be used instead of a certificate of service.*

[As amended, effective May 1, 2002.]