

9-702. Petition for writ of certiorari to the district court from denial of habeas corpus.

[For use with Appellate Rule 12-501 NMRA]

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

Defendant-Petitioner,

S.Ct. No. _____
(leave blank; court will assign)

v.

(Name of Warden)

District Ct. No. _____

Respondent.

**PETITION FOR WRIT OF CERTIORARI
TO THE _____ DISTRICT COURT OF NEW MEXICO**

Defendant-Petitioner pro se

(address information)

**PETITION FOR WRIT OF CERTIORARI
TO THE _____ DISTRICT COURT OF NEW MEXICO**

Defendant-Petitioner, appearing pro se and pursuant to the provisions of the New Mexico Constitution, Rule 5-802, and Rule 12-501 NMRA; petitions this Court to issue its Writ of Certiorari to review the order in:

_____ (your name v. Warden's name),

District Court No. _____ filed on _____.

QUESTIONS PRESENTED FOR REVIEW

Whether the district court erred in:

(Complete only for issues relevant to the petition. Attach additional sheets if necessary.)

DESCRIPTION OF THE PROCEEDINGS

1. Please list the conviction being challenged:

2. Please list any other petitions you have filed in the New Mexico Supreme Court challenging this conviction *(please include docket numbers and dates)*:

3. Tell the story of what happened in your court case:

BASIS FOR GRANTING THIS PETITION FOR WRIT OF CERTIORARI TO THE DISTRICT COURT

The decision of the district court on my petition for writ of habeas corpus, filed pro se, raises significant questions of law under state and federal constitutions: whether the errors below deprived petitioner's rights guaranteed by the Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments and by New Mexico Constitution, art. II, §§ 13, 14, 15, and 18.

ARGUMENT

(Describe your legal claim and cite the law (cases, statutes, constitutional sections) that supports your position. Use plain language.)

POINT 1:

POINT 2:

POINT 3:

(Attach additional sheets, if necessary).

REQUEST FOR RELIEF

Defendant-petitioner requests that this Court issue its writ of certiorari to the district court, and:

- remand to the district court for a full hearing on the petition, **OR**
- reverse the conviction, **OR**
- remand to the district court to correct the sentence, **OR**
- (other) _____.

Petitioner asks this Court to grant such relief as may be appropriate. As required by Rule 12-501 NMRA, I am filing **only the original copy** of this petition and I have attached the following:

- a copy of my petition for writ of habeas corpus filed in district court, **AND**
 - a copy of the state's response, if one was filed, **AND**
 - a copy of the district court's order.
 - I have not attached the required documents because
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and ask the Supreme Court to accept this petition without the attachments.

Respectfully submitted,

Defendant-Petitioner, pro se

VERIFICATION

STATE OF NEW MEXICO
COUNTY OF _____

I, the undersigned, being first duly sworn upon my oath, state that I am the petitioner in this action. I have read the foregoing petition and know and understand its contents, and the information contained herein is true and correct to the best of my knowledge, information and belief. On _____, _____ (date), I deposited this petition in the internal mail system of the institution in which I am confined, properly addressed with any necessary postage prepaid, for forwarding to the New Mexico Supreme Court at the following address:

New Mexico Supreme Court
P.O. Box 848
Santa Fe, New Mexico, 87504-0848.

(Signature)

(Address)

PNM No., if applicable

SUBSCRIBED AND SWORN TO before me this _____ day of _____, _____, by

(Name of petitioner)

Notary Public

My Commission Expires:

CERTIFICATE OF SERVICE

I hereby certify that a copy of this petition was mailed to the Attorney General's Office, P.O. Box 1508, Santa Fe, New Mexico 87504-1508 on this _____ day of _____.

Defendant-Petitioner, pro se

[Adopted by Supreme Court Order No. 14-8300-014, effective for all cases filed on or after December 31, 2014; as amended by Supreme Court Order No. 17-8300-025, effective for all cases pending or filed on or after December 31, 2017.]