



1           WHEREAS, in the time since the COVID-19 public health emergency first  
2 began, the Eighth Judicial District Court has developed and improved methods and  
3 procedures to safely and effectively conduct criminal proceedings in accordance  
4 with rights and requirements under the New Mexico Constitution and New Mexico  
5 law;

6           WHEREAS, this Court may exercise its equitable powers and the power of  
7 superintending control over pleading and practice in the New Mexico Judiciary to  
8 implement measures to facilitate the timely resolution of criminal cases;

9           WHEREAS, in light of the foregoing, and the Court being sufficiently  
10 advised, Chief Justice C. Shannon Bacon, Justice Michael E. Vigil, Justice David K.  
11 Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

12           NOW, THEREFORE, IT IS ORDERED that the provision for extension of  
13 deadlines in criminal cases, prescribed in Order No. 22-8500-018 and all preceding  
14 orders of this Court pertaining to the COVID-19 public health emergency, is hereby  
15 WITHDRAWN for all track 1 and track 2 criminal cases as defined under LR8-301  
16 NMRA, which are filed in the Eighth Judicial District Court on or after September  
17 12, 2022.

1           IT IS FURTHER ORDERED that in all track 1 and track 2 criminal cases  
2 filed in the Eighth Judicial District Court on or after September 12, 2022, the  
3 calculation of any deadlines under Rules 5-604 and LR8-301 NMRA shall apply  
4 without exception for time-delay caused by the public health emergency, unless the  
5 judge grants an extension in accordance with the applicable provisions of Rule LR8-  
6 301 NMRA.

7           IT IS FURTHER ORDERED that for all track 1 and track 2 criminal cases  
8 pending in the Eighth Judicial District Court as of September 12, 2022, the judge  
9 shall issue an amended scheduling order and set a new trial date unless the judge  
10 determines that the case can reasonably proceed as scheduled under an existing  
11 scheduling order.

12           IT IS FURTHER ORDERED that given inherent complexities in track 3  
13 cases, the provision of Order No. 22-8500-018 regarding deadlines for trials in  
14 criminal cases under Rule 5-604 remains in effect for all track 3 cases.

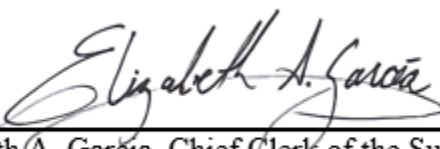
15           IT IS FURTHER ORDERED that the suspension of the exercise of  
16 peremptory excusals under Rule 5-106 NMRA remains in effect as prescribed in  
17 Order No. 22-8500-007.

1 IT IS FURTHER ORDERED that under Rule LR8-301(H)(7) NMRA, Eighth  
2 Judicial District Court judges may amend any existing scheduling orders in criminal  
3 cases pending as of September 12, 2022.

4 IT IS SO ORDERED.



5 WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 29th day of July, 2022.

  
Elizabeth A. Garcia, Chief Clerk of the Supreme Court  
of the State of New Mexico