

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **April 28, 2023**

3 **NO. 23-8500-17**

4 **IN THE MATTER OF THE APPLICATION**
5 **OF THE CITY OF TRUTH OR CONSEQUENCES**
6 **FOR APPROVAL OF ITS ORDINANCE NO. 742**
7 **RELATING TO THE DESIGNATION OF THE**
8 **SIERRA COUNTY MAGISTRATE COURT**
9 **AS THE COURT HAVING JURISDICTION**
10 **OVER MUNICIPAL ORDINANCES**

11
12 **ORDER**

13 WHEREAS, this matter came on for consideration by the Court upon the
14 application of the City of Truth or Consequences to approve its ordinance numbered
15 742 entitled, “An Ordinance Amending the City of Truth or Consequences
16 Municipal Code of Ordinances, By Adding a New Section Designating the Sierra
17 County Magistrate Court as the Court Having Jurisdiction Over Municipal
18 Ordinances and Repealing Sections 2-371 Through 2-380,” and supporting
19 documents;

20 WHEREAS, a municipality with a population of less “than ten thousand
21 persons in the most recent federal decennial census, where the municipal court is
22 located twenty-five or fewer miles from the nearest magistrate court,” may adopt an
23 ordinance designating a magistrate court as having jurisdiction over municipal
24 ordinances, subject to approval by this Court, NMSA 1978, § 35-14-1(B), (D)
25 (2019);

1 WHEREAS, Truth or Consequences has an estimated population of 6,052,
2 according to the most recent federal census, and the Sierra County Magistrate Court
3 is located within twenty-five miles of the Truth or Consequences Municipal Court;

4 WHEREAS, the Court having considered the foregoing and being sufficiently
5 advised, Chief Justice C. Shannon Bacon, Justice Michael E. Vigil, Justice David K.
6 Thomson, Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

7 NOW, THEREFORE, IT IS ORDERED that the request is GRANTED and
8 Ordinance No. 742 is APPROVED; and

9 IT IS FURTHER ORDERED that Ordinance No. 742 shall be effective as of
10 the date of the expiration of the term of Hon. Beatrice Garcia-Sanders, presiding
11 municipal court judge in Truth or Consequences, pursuant to Section 35-14-1(D).

12 IT IS SO ORDERED.



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 28th day of April, 2023.

A handwritten signature in cursive script that reads "Elizabeth A. Garcia".

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

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