

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

2 **November 1, 2024**

3 **NO. S-1-RCR-2024-00113**

4 **IN THE MATTER OF THE AMENDMENT**
5 **OF RULE 5-304 NMRA OF THE RULES OF**
6 **CRIMINAL PROCEDURE FOR THE**
7 **DISTRICT COURTS, RULE 6-302 NMRA**
8 **OF THE RULES OF CRIMINAL**
9 **PROCEDURE FOR THE MAGISTRATE**
10 **COURTS, AND RULE 7-302 NMRA OF**
11 **THE RULES OF CRIMINAL PROCEDURE**
12 **FOR THE METROPOLITAN COURTS**

13 **ORDER**

14 WHEREAS, the Court provisionally amended Rule 5-304 NMRA of the
15 Rules of Criminal Procedure for the District Courts on January 14, 2022;

16 WHEREAS, permanent amendment of Rule 5-304 NMRA came on for
17 consideration upon recommendation of Court staff;

18 WHEREAS, additional amendment of Rule 5-304 NMRA and amendment of
19 Rule 6-302 NMRA of the Rules of Criminal Procedure for the Magistrate Courts and
20 Rule 7-302 NMRA of the Rules of Criminal Procedure for the Metropolitan Courts
21 came on for consideration upon recommendation of the Rules of Criminal Procedure
22 for State Courts Committee; and

23 WHEREAS, the Court having considered the recommendation and being
24 sufficiently advised, Chief Justice David K. Thomson, Justice Michael E. Vigil,

1 Justice C. Shannon Bacon, Justice Julie J. Vargas, and Justice Briana H. Zamora
2 concurring;

3 NOW, THEREFORE, IT IS ORDERED that the amendment of Rules 5-304,
4 6-302, and 7-302 NMRA is APPROVED;

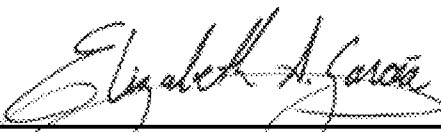
5 IT IS FURTHER ORDERED that the above-referenced amendments shall be
6 **effective December 31, 2024**; and

7 IT IS FURTHER ORDERED that the Clerk of the Court is authorized and
8 directed to provide notice of the above-referenced amendments on the Supreme
9 Court’s public website and in the *Bar Bulletin* and to publish the amendments in the
10 *New Mexico Rules Annotated*.

11 IT IS SO ORDERED.



12 WITNESS, the Honorable David K. Thomson, Chief
13 Justice of the Supreme Court of the State of New Mexico,
14 and the seal of said Court this 1st day of November, 2024.


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