

CRIMINAL FORMS
FORM 9-601

Supreme Court Approved
August 25, 2025

9-601. Judgment and sentence (Commitment or probation).

[For use with ~~[Magistrate Court] Rules 6-701, [and] 6-702, [NMRA, Metropolitan Court Rules] 7-701, [and] 7-702, [NMRA and Municipal Court Rules] 8-701, and 8-702 NMRA~~]

STATE OF NEW MEXICO

[COUNTY OF _____]

[CITY OF _____]

_____ COURT

No. _____

[STATE OF NEW MEXICO]

[COUNTY OF _____]

[CITY OF _____]

v.

_____, Defendant

**JUDGMENT AND SENTENCE
(COMMITMENT OR PROBATION)¹**

On this _____ day of _____, _____, the defendant appeared in person and was represented by attorney _____, *(set forth name of attorney)*. _____ *(name of officer or prosecutor)* appeared on behalf of the *(state) (city)*.
(Complete one of the following)

1. PLEA

(Plea of not guilty)

The defendant having entered a plea of NOT GUILTY and the *(court) (jury)*² finding the defendant GUILTY of the following charge(s) _____

(Plea of guilty)

The defendant having entered a plea of:

[] guilty, the court so finds the defendant guilty of the following charges: _____

**CRIMINAL FORMS
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☐ no contest, the court accepts the plea as an admission of guilt for the purposes of this action only, of the following charges: _____

2. FINDINGS OF THE COURT DWI CASES

(complete if applicable)

THE COURT FINDS:

This conviction is the defendant's

☐ first ☐ second ☐ third ☐ fourth or more conviction for driving while under the influence.

3. JUDGMENT OF COURT

IT IS ADJUDGED that the defendant is guilty of (such) (the following) charges and convicted. *(If the defendant has been found not guilty of one or more charges, set forth crimes defendant has committed)*

IT IS ADJUDGED that the defendant is not guilty of the following charges: _____

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that:
(check and complete only applicable boxes)

☐ the defendant be committed to the *(county)* *(city)* *(jail)* *(detention center)* _____ *(specify any other place)*
for _____ days with _____ days suspended for a jail term of _____ days for the crime of _____;
for _____ days with _____ days suspended for a jail term of _____ days for the crime of _____;
such sentences to run *(consecutively)* *(concurrently)*.

☐ Work release is *(authorized)* *(not authorized)*.

☐ Work release to be served on weekends.

☐ The defendant is ordered to report to _____ by no later than _____ (a.m.) (p.m.) the _____ day of _____, _____.

☐ The defendant shall pay to the *(magistrate)* *(metropolitan)* *(municipal)* court the following fine(s):

\$ _____ for _____

\$ _____ for _____

CRIMINAL FORMS
FORM 9-601

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August 25, 2025

☐ The defendant shall pay to the (*magistrate*) (*metropolitan*) (*municipal*) court the following costs and fees:
(*complete applicable costs and fees*)³

court costs	\$ _____
[automation fee	\$ _____
corrections fee	\$ _____
laboratory fee	\$ _____
traffic safety fee	\$ _____
judicial education fee	\$ _____
DWI prevention fee	\$ _____]
screening & treatment costs	\$ _____
[brain injury services fee	\$ _____
court facilities fee	\$ _____]
other _____	\$ _____
Total fees and costs	\$ _____

(*complete applicable parts of the following if the sentence is to be deferred or suspended*)

☐ The above sentence is hereby:

☐ deferred

☐ suspended

on the following terms and conditions:

☐ (*supervised*) (*unsupervised*) probation for _____ days with the following special conditions:

☐ the defendant will enter and participate in:

☐ an (*alcohol*) (*drug*) treatment program

CRIMINAL FORMS
FORM 9-601

Supreme Court Approved
August 25, 2025

☐ (alcohol) (drug) screening and complete counseling or other treatment as required
by the screening program

☐ a first offender program

☐ driver improvement school

☐ petty larceny school

☐ _____ (other)

☐ the defendant performs _____ (hours) (days) of community service as follows:

☐ the defendant makes restitution to (set forth name of person or entity)

in the amount of \$ _____ on or before the _____ day of _____,
_____.

☐ defendant pays all court costs and fees including: ~~laboratory fees; automation fee;~~
~~traffic safety fee; corrections fee;~~ DWI school fee; alcohol evaluation screen fees; and counseling
fees;

☐ **IT IS FURTHER ORDERED** THAT the defendant's cash bond is to be:

☐ returned to defendant

☐ applied to the payment of court costs, court fees, and fines

☐ **IT IS FURTHER ORDERED** (other) _____

☐ **THE DEFENDANT IS ORDERED TO REPORT TO**

☐ Probation services

☐ Educational services

☐ (specify other) _____
on or before _____ (a.m.) (p.m.) the _____ day of _____,
_____.

(complete if applicable)

[] **COMMITMENT. THE DEFENDANT IS HEREBY COMMITTED** to the custody of the (county) (city) in _____ (set forth place of detention) for imprisonment for a period of _____ (days) (months), subject to credit for time spent in confinement while awaiting the outcome of these proceedings. **IT IS ORDERED** that a copy of this judgment and commitment be delivered to an authorized full-time salaried law enforcement officer, and that this copy be the order of commitment of the defendant.

FAILURE TO COMPLY

FAILURE TO REPORT OR PAY COSTS OR FINES WILL RESULT IN A BENCH WARRANT FOR THE DEFENDANT'S ARREST.

APPEAL

You are hereby advised that you ~~[may]~~ have the right to appeal. If the appeal is an appeal de novo, you may have a new trial in the district court by filing a notice of appeal in the district court within fifteen (15) days from the date of entry of this judgment and sentence. If the appeal is an on-record appeal, you may appeal to the Court of Appeals by filing a notice of appeal in the metropolitan court within thirty (30) days from the date of entry of this judgment and sentence. ~~[You are further advised that if you appeal, you must obtain a trial date before the district court within six (6) months of the date of the filing of the notice of appeal. If your case is not tried by the district court within six (6) months, your appeal will be dismissed and this conviction will be affirmed.]~~

APPEAL BOND \$ _____.

OTHER CONDITIONS OF RELEASE.

If the defendant files a notice of appeal, the following additional conditions of release are hereby approved _____ pending _____ appeal to the _____ district court:

Dated _____, _____

Judge

USE NOTES

1. This form may be used in the magistrate, metropolitan, and municipal courts. This form, Form 9-602 NMRA, and Form 9-603 NMRA should be modified as appropriate. Provisions in Form 9-603 may be used as part of this form.

2. This form should be modified by municipal courts to eliminate this alternative as there is no right to trial by jury in municipal court.

CRIMINAL FORMS
FORM 9-601

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1 3. Not all fees and costs are applicable to all courts of limited
2 jurisdiction. [~~See Section 35-14-11 NMSA 1978 for municipal corrections fee;~~] See NMSA 1978,
3 Section 66-8-102 [NMSA 1978] for assessment of costs for court ordered alcohol or drug
4 screening and treatment program[; ~~Section 31-12-7 NMSA 1978 for magistrate, metropolitan~~
5 ~~court and municipal court crime laboratory fee; and Section 35-6-1 NMSA 1978 for magistrate~~
6 ~~and metropolitan court corrections fee, court automation fee, traffic safety fee, judicial education~~
7 ~~fee, brain injury services fee, court facilities fee and other fees and costs to be assessed upon~~
8 ~~conviction~~].

9
10 [As amended, effective September 1, 1989; January 1, 1997; February 1, 1999; as amended by
11 Supreme Court Order No. S-1-RCR-2023-00038, effective for all cases pending or filed on or after
12 October 9, 2025.]