

4-951. Petition to expunge arrest records and public records; identity theft.

[For use with District Court Rule 1-077.1 NMRA]

STATE OF NEW MEXICO

COUNTY OF _____

_____ JUDICIAL DISTRICT COURT

In re _____,

No.

Petitioner.

**PETITION TO EXPUNGE ARREST RECORDS AND PUBLIC RECORDS UNDER
NMSA 1978, SECTION 29-3A-3 [~~NMSA 1978~~]
(Identity Theft)**

Petitioner, [] unrepresented by counsel/[] represented by counsel (*select one*), under NMSA 1978, Section 29-3A-3 [~~NMSA 1978~~], respectfully moves the Court to expunge the arrest records and public records related to the cases/charges below.

1. Information about Petitioner:

Date of Birth: _____

Current Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____ Work Phone #: _____ Cell #: _____

Other names or aliases by which Petitioner has been known (*include prior names, nicknames, or aliases, especially if your arrest records may reflect a different name*):

2. [] Petitioner has no pending expungement cases in the _____ Judicial District.

[] Petitioner has the following pending expungement cases in the _____ Judicial District Court (*provide expungement case numbers for any expungement cases that may be currently pending before the _____ Judicial District Court*):

3. [] Petitioner has never applied for expungement and been denied.

☐ Petitioner has applied for expungement and been denied in the following expungement cases (*provide the expungement case numbers*): _____

4. As the result of identity theft, Petitioner has been improperly named in the following criminal case or cases:
Case name: _____
Case number: _____
Date of filing: _____

Please attach copies of any records in your possession associated with this case.

5. The following appellate court cases(s) are related to Petitioner's Petition to Expunge:

Court of Appeals case number(s): _____
Supreme Court case number(s): _____

~~5.~~ 6. Petitioner asks this Court for an Order to Expunge Arrest and Criminal Records for information in the custody of the following agencies:

☐ District Court in the _____ Judicial District;
☐ _____ County Sheriff's Department;
☐ District Attorney for the _____ Judicial District;
☐ New Mexico Department of Public Safety;
☐ Law Enforcement Agency (*name of agency*) _____;
☐ Metropolitan/Magistrate/Municipal Court in _____ (*location*);
☐ New Mexico State Police Investigations Bureau;
☐ Other _____.

~~6.~~ 7. The charges sought to be expunged were originally disposed of or originated in (*select one*)

☐ District Court in the _____ Judicial District
☐ Metropolitan Court in _____ (*location*)
☐ Magistrate Court in _____ (*location*)
☐ Municipal Court in _____ (*location*)

~~7.~~ 8. ☐ Petitioner wishes to attend any hearings in this matter by telephonic or other electronic means as provided for in Rule 1-077.1(J) NMRA.

SIGNATURE SECTION

I, Petitioner, affirm under penalty of perjury under the laws of the State of New Mexico that the statements herein are true and correct.

Printed name of Petitioner

Date

**CIVIL FORMS
4-951**

**Supreme Court Approved
October 31, 2025**

1	Signature of Petitioner	
2	_____	
3	Mailing Address	
4	_____	
5	Telephone Number	Email
6		
7	_____	
8	Attorney Name (<i>if applicable</i>)	Date
9	_____	
10	Attorney Signature	
11	_____	
12	Mailing Address	
13	_____	
14	Telephone Number	Email
15		
16	[Provisionally adopted by Supreme Court Order No. 21-8300-033, effective for all cases pending	
17	or filed on or after January 28, 2022; <u>provisionally adopted form approved as amended by</u>	
18	<u>Supreme Court Order No. S-1-RCR-2024-00099, effective for all cases filed on or after</u>	
19	<u>December 31, 2025.</u>]	