

1 **4-960.2. Affirmation in support of expungement; upon release without conviction.**

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

3  
4 STATE OF NEW MEXICO  
5 COUNTY OF \_\_\_\_\_  
6 \_\_\_\_\_ JUDICIAL DISTRICT COURT  
7

8  
9  
10 In re \_\_\_\_\_, No.  
11  
12 \_\_\_\_\_  
13 Petitioner.  
14

15 **AFFIRMATION IN SUPPORT OF EXPUNGEMENT**  
16 ***(Upon Release without Conviction)***

17 I, \_\_\_\_\_, (*Petitioner name*), am requesting the expungement of records  
18 under Section 29-3A-4 NMSA 1978 (Expungement of Records upon Release without Conviction),  
19 and hereby affirm the following:

20  
21  No charge or criminal proceeding is pending against me in any state or federal court in the  
22 United States.

23 **OR**

24  The following charge(s) or criminal proceeding(s) are pending against me in New Mexico  
25 state court:

26 \_\_\_\_\_  
27 \_\_\_\_\_

28  The following charge(s) or criminal proceeding(s) are pending against me in another state  
29 court:

30 \_\_\_\_\_  
31 \_\_\_\_\_

32  The following charge(s) or criminal proceeding(s) are pending against me in federal court:

33 \_\_\_\_\_  
34 \_\_\_\_\_

35  
36

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

3  
4  
5 \_\_\_\_\_  
6 *(Petitioner Signature)* *(Print Name)*  
7 \_\_\_\_\_  
8 *Street Address* *City* *State* *Zip Code*  
9 \_\_\_\_\_  
10 *(Telephone)*

11 [Provisionally adopted by Supreme Court Order No. 21-8300-033, effective for all cases pending  
12 or filed on or after January 28, 2022; provisionally adopted form approved by Supreme Court  
13 Order No. S-1-RCR-2024-00099, effective for all cases pending or filed on or after December  
14 31, 2025.]