

1 **LR2-306. Appeals from driver’s license revocation hearings.**

2 [Related Statutes NMSA 1978, §§ 66-8-105 to -112, and Statewide Rule 1-074 NMRA]

3 A. **Applicability.** This rule governs appeals to the district court from driver’s license
4 revocation proceedings and proceedings conducted under the Implied Consent Act, NMSA 1978,
5 Sections 66-8-105 [~~through~~] to -112 [~~NMSA 1978~~].

6 B. **Pleadings.** The first page of all pleadings shall include the civil division docket
7 number of the case followed by the capital letters “LRA” (License Revocation Appeal).

8 C. **Extensions.** All requests for extension of time to file pleadings shall be by written
9 motion filed in the civil clerk’s office, which will direct the motions to the criminal [~~on-record~~
10 ~~appeals~~] division. The division will refer the motions to the appropriate judge. Motions for
11 extension of time will be granted only for good cause. Motions shall contain specific grounds.
12 Requests for extensions of time due to press of business, whether or not that press of business is
13 explained with reference to specific cases, will not ordinarily be seen as good cause. In most cases,
14 the time requested should not exceed fourteen (14) calendar days. Motions requesting subsequent
15 extensions on the same pleading will rarely be granted. A motion requesting an extension that is
16 filed on the day that the appellant’s statement of appellate issues or the appellee’s response is due
17 or later will not be favored and may be denied.

18 D. **Failure to comply with Rule 1-074 NMRA.** Pleadings that fail to comply with
19 Rule 1-074 NMRA, particularly Paragraphs K through N, may be stricken or other sanctions may
20 be imposed. If the re-filing of the noncomplying pleadings is permitted by the express order of the
21 court, the revised pleadings shall be re-filed within fourteen (14) calendar days of the filing of that
22 order.

1 E. **Stays.** Motions filed to stay the revocation of driving privileges pending the appeal
2 to district court under Rule 1-074 [~~NMRA~~], and their corresponding orders, may be presented
3 directly to the judge of the criminal division assigned to the appeal for signature of the order. Prior
4 concurrence by the motor vehicle division with the stay will expedite the court’s decision regarding
5 the stay while also complying with Rule 1-007.1 NMRA.
6 [Approved, effective November 3, 1999; LR2-409 recompiled and amended as LR2-306 by
7 Supreme Court Order No. 16-8300-015, effective for all cases pending or filed on or after
8 December 31, 2016; as amended by Supreme Court Order No. S-1-RCR-2024-00120, effective
9 for all cases filed on or after December 31, 2025.]