

1 **4-1002. Petition for extreme risk firearm protection order.**

2
3 [Extreme Risk Firearm Protection Order Act,
4 NMSA 1978, Sections 40-17-1 to -13]

5
6 STATE OF NEW MEXICO
7 COUNTY OF _____
8 _____ JUDICIAL DISTRICT

9
10
11 IN THE MATTER OF AN EXTREME RISK
12 FIREARM PROTECTION ORDER FOR
13 _____
14 _____ (Respondent's full date of birth)
15
16 No. _____

17
18
19 **PETITION FOR EXTREME RISK FIREARM PROTECTION ORDER**

20
21 **SECTION I. PETITIONER** (*Petitioner must be a law enforcement officer working for a law*
22 *enforcement agency as defined under the Extreme Risk Firearm Protection Order Act, NMSA*
23 *1978, Sections 40-17-1 to -13)*

24
25 **Petitioner is employed by the following type of agency:**

- 26 Police Department District Attorney's Office
27 Sheriff's Office Attorney General's Office
28 State Police

29
30 1. Petitioner's name: _____
31 Badge/CAID Number: _____

32
33 2. Law Enforcement Agency Petitioner works for: _____

34
35 3. Law Enforcement Agency's address:
36 _____
37 *street address*
38 _____
39 *city* *state* *zip*

40
41 4. Law Enforcement Agency's telephone number: _____

42
43 **SECTION II. PERSON WHO COMPLETED THE AFFIDAVIT OR STATEMENT**

44
45 In support of this petition, I am attaching as Exhibit A:

1
2 there is probable cause to believe Respondent poses a significant danger of causing imminent
3 personal injury to self or others by having custody or control of a firearm *or* by purchasing,
4 possessing, or receiving a firearm. The undersigned Law Enforcement Officer has probable cause
5 to believe the following factors should be considered by the Court when determining whether to
6 issue a temporary extreme risk firearm protection order:

- 7 A recent act or threat of violence by Respondent against self or others, regardless of
8 whether the act or threat involved a firearm;
- 9 A pattern of acts or threats of violence by Respondent within the past twelve (12)
10 months, including acts or threats of violence against self or others;
- 11 Respondent's mental health history;
- 12 Respondent's use of controlled substances or alcohol;
- 13 Respondent's previous violations of any court order;
- 14 Previous extreme risk firearm protection orders issued against Respondent;
- 15 Respondent's criminal history, including arrests and convictions for violent felony
16 offenses, violent misdemeanor offenses, crimes involving domestic violence, or stalking;
- 17 Respondent's history of the use, attempted use, or threatened use of physical violence
18 against another person; of stalking another person; or of cruelty to animals; and
- 19 Any recent acquisition or attempts at acquisition of a firearm by Respondent.
- 20 Other considerations: _____

21
22 **FIREARMS.** The quantities, types, and total number of all firearms Petitioner believes to be in
23 Respondent's ownership, possession, custody, or control are listed below and/or attached as
24 Exhibit B.

25
26

Type of Firearm	Number	Location	Ammunition
<input type="checkbox"/> Long gun (<i>includes rifles and shotguns</i>)			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input type="checkbox"/> Handgun (<i>includes revolvers and pistols</i>)			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input type="checkbox"/> Other (<i>includes any other firearms</i>):			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

27
28
29 **TOTAL NUMBER OF FIREARMS:** _____

30
31 **LEGAL ACTION(S) BETWEEN REPORTING PARTY AND RESPONDENT.**

- 1
- 2 Lawsuit. *Please describe:* _____
- 3 Complaint. *Please describe:* _____
- 4 Petition. *Please describe:* _____
- 5 Restraining Order. *Date Issued:* _____ *Issued by:* _____
- 6 Injunction. *Please describe:* _____
- 7 Other Legal Action. *Please describe:* _____
- 8 None.
- 9

10 For the foregoing reasons, Petitioner respectfully requests the court enter a Temporary Extreme
11 Risk Firearm Protection Order and schedule a hearing to be held within ten (10) days of the
12 issuance of a Temporary Extreme Risk Firearm Protection Order to determine if a One-Year
13 Extreme Risk Firearm Protection Order should be entered.

14
15 Respectfully submitted this _____ day of _____, 20____.

16
17
18 _____
19 *Signature of Petitioner*

20
21
22 [Adopted by Supreme Court Order No. S-1-RCR-2024-00097, effective for all cases filed on or
23 after December 31, 2025.]