

1 **9-515A. Misdemeanor crime of domestic violence relationship finding for NICS reporting.**

2
3 STATE OF NEW MEXICO

4 COUNTY OF _____
5 _____ JUDICIAL DISTRICT,

6 _____, Plaintiff

7 v. No. _____

8 _____, Defendant

9 **MISDEMEANOR CRIME OF DOMESTIC VIOLENCE (MCDV)**
10 **RELATIONSHIP FINDING FOR NICS REPORTING¹**

11 The Defendant has entered a plea or has been found guilty of the following misdemeanor
12 crime (use a separate form for each charge/victim):

- 13 Assault, NMSA 1978, Section 30-3-1;
- 14 Assault against a household member, NMSA 1978, Section 30-3-12;
- 15 Battery, NMSA 1978, Section 30-3-4;
- 16 Battery against a household member, NMSA 1978, Section 30-3-15;
- 17 Criminal damage to property of a household member, NMSA 1978, Section 30-3-18(B);
- 18 Aggravated battery, NMSA 1978, Section 30-3-5(B);
- 19 Aggravated battery against a household member, NMSA 1978, Section 30-3-16(B);
- 20 Criminal sexual contact, NMSA 1978, Section 30-9-12(D);
- 21 Public affray, NMSA 1978, Section 30-20-2;
- 22 Stalking (1st offense), NMSA 1978, 30-3A-3;
- 23 Attempted 4th degree felony (List the name of the offense): _____.
- 24

25 The Court finds the following upon sentencing:

- 26 1. The above conviction involved the use or attempted use of physical force or
27 threatened use of a deadly weapon.² Yes No³
- 28 2. The finding of the use or attempted use of physical force or threatened use of a
29 deadly weapon was made by Admission in plea colloquy, Stipulation by
30 parties, Guilty verdict.
- 31 3. The relationship between the Defendant and Victim is⁴:
 - 32 Defendant is the victim’s current or former spouse;
 - 33 Defendant shares a child in common/is the co-parent with the victim
34 (biological or adopted children);
 - 35 Defendant is currently or has cohabitated with the victim as a spouse,
36 parent, or guardian. (*serious dating relationship plus cohabitation*);
 - 37 The Defendant is similarly situated as a spouse, co-parent, or co-guardian
38 with the victim;

1 and whether the Defendant will be reported to the FBI for entry into NICS.

2 7. Copies of this form shall be provided to the Defendant and all counsel.

3 8. A Defendant may still be subject to federal and/or state firearm prosecution if the
4 actual relationship between the Defendant and the victim is later established/shown to be different
5 than what is represented at the time this form is completed.

6 9. NMSA 1978, Section 30-7-16(A)(3) makes it unlawful for a person convicted for
7 certain misdemeanor crimes to receive, transport, or possess a firearm or destructive device in this
8 state.

9 10. 18 U.S.C. § 922(g)(9) makes it unlawful for a person convicted for a misdemeanor
10 crime of domestic violence to possess, ship, or transport any firearm or ammunition. 18 U.S.C. §
11 921(a)(33)(A) defines a misdemeanor crime of domestic violence.

12

13 [Adopted by Supreme Court Order No. S-1-RCR-2024-00096, effective for all cases pending or
14 filed on or after December 31, 2025.]

CRIMINAL FORMS
9-515A
[NEW MATERIAL]

Supreme Court Approved
October 31, 2025

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