

1 **14-1631. Burglary; [“dwelling house”]; defined.**

2 A [“dwelling house”] is any structure, any part of which is customarily used as living
3 quarters.

4 USE NOTES

5 For use in conjunction with UJI 14-1630 NMRA.

6 [As amended by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending
7 or filed on or after December 31, 2025.]

8 **Committee commentary.** — Under a case decided prior to the division of burglary into [~~third and~~
9 ~~fourth-degree~~]third- and fourth-degree felonies, the supreme court upheld the conviction of a
10 charge of burglary of a dwelling house where the victim slept on a cot in [~~his~~]a drugstore. *State v.*
11 *Hudson, 1967-NMSC-164, 78 N.M. 228, 430 P.2d 386*~~[(1967)]~~.

12 [As amended by Supreme Court Order No. S-1-RCR-2025-00126.]