



Administrative Office of the Courts

FOR IMMEDIATE RELEASE

March 2, 2026

NM Supreme Court to hear case in Portales for Rule of Law Program

SANTA FE – Students will have an opportunity to see how courts resolve disputes when the New Mexico Supreme Court conducts an oral argument in April in Portales as a part of a civics education program.

The Court will hear attorneys present arguments on behalf of their clients in a criminal case for the [Rule of Law Program](#) at 1 p.m. on April 1 at the University Theatre Center at Eastern New Mexico University. This is the sixth year for the program, which allows students to watch the court consider a case in person as well as online.

“The Rule of Law Program helps the law come alive for young people,” said Chief Justice David K. Thomson. “Rather than reading how courts work, students can see and hear what happens when our state’s highest court is asked to interpret the law and apply it to resolve a legal dispute.”

During the oral argument, attorneys will outline the legal reasoning in support of their client’s position in the case and respond to questions from the justices. After the argument, members of the Court will deliberate in private and will return to announce a decision if the justices reach agreement during their deliberations.

The Court will consider an Otero County man’s appeal of his conviction for aggravated drunken driving. At issue is whether Carlos Mendez received his constitutional right to a fair trial because of what happened during jury selection in 2022.

Mendez was charged with drunken driving after Tularosa police found him asleep midday in the driver’s seat of a vehicle idling at a stop sign. Testing found breath alcohol concentrations substantially above the legal presumption of intoxication.

In his appeal, Mendez contends the district court wrongly denied his request to excuse a prospective juror for cause and that he should be granted a new trial. The defense argues the juror was biased in favor of law enforcement based on statements during the selection process. Because of the trial court’s decision, the defense used its last peremptory challenge to prevent the individual from being selected as a juror and then was unable to exclude another person from the jury for possible bias.

State prosecutors argue that Mendez’s conviction should be upheld and that the juror in question did not say anything during selection to require the district court to remove the individual for cause.

Additionally, prosecutors contend that Mendez protected his right to an impartial jury by exercising his peremptory challenges. The State is asking the Court to use the case to make clear in state law there is no violation of the right to an impartial jury when a defendant uses a peremptory challenge to remove a juror who should have been excused for cause by a trial court.

The case before the Court is *State v. Mendez*, S-1-SC-40404. The Supreme Court Law Library will make educational materials available online about the case.

“By watching an oral argument, students can learn about the role of the judiciary in maintaining the rule of law — the principle that the law applies equally and fairly to all people and institutions,” said Chief Justice Thomson.

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Chief Justice David K. Thomson



THE NEW MEXICO SUPREME COURT



2026

RULE OF LAW PROGRAM



Classroom study materials, link to
livestreams, case briefs and RSVP



**Wednesday
April 1st
1 p.m.**

**Eastern New Mexico University
University Theatre Center
Portales, NM**