



1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **April 16, 2026**

3 **NO. S-1-AO-2026-00012**

4
5 **IN THE MATTER OF THE**
6 **ESTABLISHMENT OF A STRUCTURE**
7 **FOR THE ASSIGNMENT OF JUDGES**
8 **FOR ELECTION CONTESTS AND**
9 **OTHER JUDICIAL PROCEEDINGS**
10 **UNDER THE ELECTION CODE FOR**
11 **2026 PRIMARY AND GENERAL**
12 **ELECTIONS IN NEW MEXICO**

13 **AMENDED ORDER**

14 WHEREAS, the Election Code requires the assignment of district judges to
15 hear election contests and preside over other post-election proceedings;

16 WHEREAS, the upcoming primary and general elections may require the
17 Judiciary to resolve election contests and preside over other proceedings initiated
18 under the Election Code;

19 WHEREAS, the public business requires the expeditious disposition of
20 election contests and other Election Code proceedings that may arise as a result of
21 the upcoming general election; and

22 WHEREAS, in accordance with this Court’s superintending control over the
23 Judiciary under the Constitution of the State of New Mexico, N.M. Const. art. VI, §
24 3, and the authority of the Chief Justice to designate district judges under N.M.

1 Const. art. VI, § 15, when the public business requires, the Court, on its own motion,
2 having considered the foregoing and being otherwise sufficiently advised, Chief
3 Justice Julie J. Vargas, Justice Michael E. Vigil, Justice David K. Thomson, Justice
4 C. Shannon Bacon, and Justice Briana H. Zamora concurring;

5 NOW, THEREFORE, IT IS ORDERED that the following district judges
6 hereby are DESIGNATED to preside as “Election Judges” over election contests
7 that may be filed under Rule 1-087 NMRA and NMSA 1978, § 1-14-3 (1971), ballot
8 impoundment proceedings that may be filed under NMSA 1978, § 1-14-9 (2023);
9 recount or recheck proceedings that may be filed under NMSA 1978, § 1-14-14(C)
10 (2023); mandamus proceedings that may be filed under NMSA 1978, § 1-14-21
11 (1977); and ballot image review proceedings under NMSA 1978, § 1-14-22 (2019),
12 in each county in New Mexico as assigned in the discretion of the Chief Judge in
13 their respective judicial districts;

14 First Judicial District Court

15	Los Alamos County	Hon. T. Glenn Ellington
16		Hon. Jason Lidyard
17	Rio Arriba County	Hon. T. Glenn Ellington
18		Hon. Jason Lidyard
19	Santa Fe County	Hon. T. Glenn Ellington
20		Hon. Jason Lidyard

1 Second Judicial District Court

2 Bernalillo County Hon. Joshua Allison
3 Hon. Erin O’Connell

4 Third Judicial District Court

5 Doña Ana County Hon. Manuel I. Arrieta
6 Hon. Conrad Perea
7 Hon. Casey Fitch

8 Fourth Judicial District Court

9 Guadalupe County Hon. Abigail Aragon

10 Mora County Hon. Abigail Aragon

11 San Miguel County Hon. Abigail Aragon

12 Fifth Judicial District Court

13 Chaves County Hon. Dustin Hunter
14 Hon. Jared Kallunki

15 Eddy County Hon. David Finger
16 Hon. Anne Marie Lewis

17 Lea County Hon. Lee A. Kirksey
18 Hon. Michael Stone

19 Sixth Judicial District Court

20 Grant County Hon. Thomas Stewart
21 Hon. James Foy

22 Hidalgo County Hon. Thomas Stewart

1		Hon. Jarod K. Hofacket
2	Luna County	Hon. Jennifer DeLaney
3		Hon. Jarod K. Hofacket
4	Seventh Judicial District Court	
5	Catron County	Hon. Mercedes C. Murphy
6		Hon. Shannon Murdock-Poff
7	Sierra County	Hon. Roscoe Woods
8		Hon. Mercedes C. Murphy
9	Socorro County	Hon. Mercedes C. Murphy
10		Hon. Shannon Murdock-Poff
11	Torrance County	Hon. Shannon Murdock-Poff
12		Hon. Roscoe Woods
13	Eighth Judicial District Court	
14	Colfax County	Hon. Steven A. Romero
15		Hon. Jeffrey Shannon
16		Hon. Emilio Chavez
17	Taos County	Hon. Emilio Chavez
18		Hon. Jeffrey Shannon
19		Hon. Steven A. Romero
20	Union County	Hon. Steven A. Romero
21		Hon. Jeffrey Shannon
22		Hon. Emilio Chavez
23	Ninth Judicial District Court	
24	Curry County	Hon. Fred Van Soelen

1		Hon. Benjamin S. Cross
2		Hon. Donna J. Mowrer
3	Roosevelt County	Hon. Donna J. Mowrer
4		Hon. Benjamin S. Cross
5		Hon. Fred Van Soelen
6	Tenth Judicial District Court	
7	De Baca County	Hon. Timothy Rose
8	Harding County	Hon. Timothy Rose
9	Quay County	Hon. Timothy Rose
10	Eleventh Judicial District Court	
11	McKinley County	Hon. R. David Pederson
12	San Juan County	Hon. Curtis Gurley
13	Twelfth Judicial District Court	
14	Lincoln County	Hon. Daniel A. Bryant
15		Hon. John Sugg
16	Otero County	Hon. John Sugg
17		Hon. Daniel A. Bryant
18	Thirteenth Judicial District Court	
19	Cibola County	Hon. Amanda Sanchez Villalobos
20		Hon. George P. Eichwald
21	Sandoval County	Hon. James A. Noel
22		Hon. Allison P. Martinez

3 IT IS FURTHER ORDERED that, except for the Election Code proceedings
4 brought pursuant to the statutes or rule set forth above, the Chief Judge in each
5 judicial district shall appoint district judges to carry out other election day, election
6 night, and post-election duties required of judges under the Election Code;

7 IT IS FURTHER ORDERED that any district judge designated under this
8 order who is assigned to preside over an election contest or other Election Code
9 proceeding concerning or affecting a retention or contested election for that judge's
10 position shall recuse from presiding in the matter, and the Chief Justice shall
11 designate another judge to preside over the matter;

12 IT IS FURTHER ORDERED that Election Judges shall not recuse in any
13 election contest or Election Code proceeding except as set forth above and under
14 N.M. Const. art. VI, § 18;

15 IT IS FURTHER ORDERED that should the Election Judge believe that
16 recusal is mandatory due to bias or prejudice or when the judge's impartiality may
17 reasonably be questioned, because it is a matter in which the judge has an interest,
18 *see* N.M. Const. art. VI, § 18, or for any other reason justifying recusal, the Election
19 Judge shall immediately apprise the Chief Justice of the perceived need for recusal,

1 and the Chief Justice shall determine whether recusal is appropriate. *State ex rel.*
2 *Anaya v. Scarborough*, 1966-NMSC-009, ¶¶ 2, 4, 75 N.M. 702, 410 P.2d 732
3 (explaining that a judge is presumptively biased if they meet any of the grounds for
4 recusal set forth in N.M. Const. art. VI, § 18 and that “an ‘interest’ necessary to
5 disqualify a judge must be a present pecuniary interest in the result, or actual bias or
6 prejudice, and not some indirect, remote, speculative, theoretical or possible
7 interest.”); Rule 21-211(A) NMRA (mandating recusal where a judge’s impartiality
8 may reasonably be questioned);

9 IT IS FURTHER ORDERED that in the event that all Election Judges in a
10 single judicial district recuse, the affected judicial district shall notify the Supreme
11 Court the day of said recusal to request the designation of an out-of-district Election
12 Judge and shall identify the case as an election contest or Election Code proceeding
13 requiring an expedited designation;

14 IT IS FURTHER ORDERED that any district judge appointed by a Chief
15 Judge under this order to carry out election day, election night, and post-election
16 judicial duties shall not designate any other person to serve in the judge’s place
17 unless otherwise provided in the Election Code;

18 IT IS FURTHER ORDERED that any mandamus proceedings that may be

1 filed under NMSA 1978, § 1-14-21, may be filed in the district court or the Supreme
2 Court, as appropriate, but shall not be filed in the New Mexico Court of Appeals;
3 and

4 IT IS FURTHER ORDERED that the Election Judges designated in this order
5 are not subject to the exercise of peremptory excusals notwithstanding the provisions
6 in NMSA 1978, § 1-14-7 (1969), and Rule 1-087(E) NMRA.

7 IT IS SO ORDERED.



WITNESS, the Honorable Julie J. Vargas, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 16th day of April, 2026.

A handwritten signature in cursive script that reads "Elizabeth A. Garcia". The signature is written in black ink and is positioned above a horizontal line.

Elizabeth A. Garcia, Chief Clerk of the Supreme Court
of the State of New Mexico

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Elizabeth A. Garcia
Chief Clerk of the Supreme Court
of the State of New Mexico