

1 STATE OF NEW MEXICO
2 COUNTY OF _____
3 _____ JUDICIAL DISTRICT COURT
4

5
6 STATE OF NEW MEXICO,
7

8 v. No. _____
9

10 _____,
11 Defendant.
12

13 **ORDER [APPROVING][DENYING] TRAVEL REQUEST FOR FORENSIC**
14 **PATHOLOGIST**
15

16 THIS MATTER having come before the Court on a request to approve travel for the Office
17 of the Medical Examiner’s forensic pathologist. The Court, having heard from the parties and
18 being otherwise fully advised, finds:
19

20 1. This case involves allegations of homicide requiring an autopsy to determine the
21 cause and manner of death.
22

23 2. This hearing was conducted more than fourteen (14) days in advance of trial.
24

25 3. At least one party has represented that the cause and manner of death and/or other
26 autopsy-related issues are material and will be presented to the jury.
27

28 4. The [State] [Defendant] subpoenaed the forensic pathologist more than two (2)
29 weeks before the scheduled trial and in advance of this Order. The pathologist is available to
30 testify, but requires round-trip air travel on the anticipated testimony date.
31

32 5. After conferring with the parties on the record, the Court finds that live, in-person
33 testimony [is] [is not] necessary and that virtual testimony [cannot] [shall] be coordinated.
34

35 6. The forensic pathologist’s expected testimony date is
36 _____.
37

38 [IT IS THEREFORE ORDERED that, if an in-person appearance is required, the
39 subpoenaing party shall provide a copy of this Order to the Administrative Office of the Courts
40 (AOC) no fewer than ten (10) days before the anticipated travel date. The subpoenaing party shall
41 coordinate with the Office of the Medical Examiner to make all necessary travel arrangements and
42 submit them to the AOC for approval or denial. The AOC shall notify the requesting party if travel
43 cannot be arranged for the requested date.]
44

45 [IT IS THEREFORE ORDERED that the parties have stipulated that the pathologist may
46 appear virtually. If so, the subpoenaing party shall provide all proposed exhibits, clearly marked

1 with appropriate exhibit stickers, to opposing counsel and to the pathologist in advance of the
2 testimony. The testimony shall be presented by video.]
3

4 [IT IS THEREFORE ORDERED that if the parties do not so stipulate and/or the
5 Administrative Office of the Courts certifies that travel cannot be arranged for the specified date,
6 the Court shall make written findings regarding the defendant's right to confrontation before
7 permitting the pathologist to testify in-person or virtually.]
8
9

10 _____
11 District Judge
12

13
14 Approved by:

15
16 _____
17 District Attorney
18

19 _____
20 Defense Attorney
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22 [Approved for use by Supreme Court Order No. S-1-AO-2026-00016.]