



IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

August 20, 2026

NO. S-1-AO-2026-00012

**IN THE MATTER OF THE
ESTABLISHMENT OF A STRUCTURE
FOR THE ASSIGNMENT OF JUDGES
FOR ELECTION CONTESTS AND
OTHER JUDICIAL PROCEEDINGS
UNDER THE ELECTION CODE FOR
2026 PRIMARY AND GENERAL
ELECTIONS IN NEW MEXICO**

THIRD AMENDED ORDER

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

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

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

WHEREAS, in accordance with this Court's superintending control over the Judiciary under the Constitution of the State of New Mexico, N.M. Const. art. VI, § 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); ballot image review proceedings under NMSA 1978, § 1-14-22 (2019); and
12 Election Code violation civil proceedings under NMSA 1978, §§ 1-20-1 to -25
13 (1969, as amended through 2026), in each county in New Mexico as assigned in the
14 discretion of the Chief Judge in their respective judicial districts;

15 First Judicial District Court

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17 Los Alamos County

Hon. T. Glenn Ellington

Hon. Todd A. Coberly

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20 Rio Arriba County

Hon. T. Glenn Ellington

Hon. Jason Lidyard

1	Santa Fe County	Hon. T. Glenn Ellington
2		Hon. Jason Lidyad
3	Second Judicial District Court	
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5	Bernalillo County	Hon. Joshua Allison
6		Hon. Erin O'Connell
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8	Third Judicial District Court	
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10	Doña Ana County	Hon. Manuel I. Arrieta
11		Hon. Conrad Perea
12		Hon. Casey Fitch
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14	Fourth Judicial District Court	
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16	Guadalupe County	Hon. Abigail Aragon
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18	Mora County	Hon. Abigail Aragon
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20	San Miguel County	Hon. Abigail Aragon
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22	Fifth Judicial District Court	
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24	Chaves County	Hon. Dustin Hunter
25		Hon. Jared Kallunki
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27	Eddy County	Hon. David Finger
28		Hon. AnneMarie Lewis
29		
30	Lea County	Hon. Lee A. Kirksey
31		Hon. Michael Stone
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33	Sixth Judicial District Court	
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35	Grant County	Hon. Thomas Stewart
36		Hon. James Foy

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Hidalgo County	Hon. Thomas Stewart Hon. Jarod K. Hofacket
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Luna County	Hon. Jennifer DeLaney Hon. Jarod K. Hofacket
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Seventh Judicial District Court

Catron County	Hon. Mercedes C. Murphy Hon. Shannon Murdock-Poff
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Sierra County	Hon. Roscoe Woods Hon. Mercedes C. Murphy
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Socorro County	Hon. Mercedes C. Murphy Hon. Shannon Murdock-Poff
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Torrance County	Hon. Shannon Murdock-Poff Hon. Roscoe Woods
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Eighth Judicial District Court

Colfax County	Hon. Steven A. Romero Hon. Jeffrey Shannon Hon. Emilio Chavez
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Taos County	Hon. Emilio Chavez Hon. Jeffrey Shannon Hon. Steven A. Romero
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Union County	Hon. Steven A. Romero Hon. Jeffrey Shannon Hon. Emilio Chavez
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3 Ninth Judicial District Court
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5 Curry County

Hon. Fred Van Soelen
Hon. Benjamin S. Cross
Hon. Donna J. Mowrer

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9 Roosevelt County

Hon. Donna J. Mowrer
Hon. Benjamin S. Cross
Hon. Fred Van Soelen

12
13 Tenth Judicial District Court
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15 De Baca County

Hon. Timothy Rose

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17 Harding County

Hon. Timothy Rose

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19 Quay County

Hon. Timothy Rose

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21 Eleventh Judicial District Court
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23 McKinley County

Hon. R. David Pederson

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25 San Juan County

Hon. Curtis Gurley

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27 Twelfth Judicial District Court
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29 Lincoln County

Hon. Daniel A. Bryant
Hon. John Sugg

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31
32 Otero County

Hon. John Sugg
Hon. Daniel A. Bryant

Thirteenth Judicial District Court

Cibola County

Hon. Amanda Sanchez Villalobos
Hon. George P. Eichwald

Sandoval County

Hon. James A. Noel
Hon. Allison P. Martinez

Valencia County

Hon. Cindy M. Mercer

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

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

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

1 IT IS FURTHER ORDERED that should the Election Judge believe that
2 recusal is mandatory due to bias or prejudice or when the judge's impartiality may
3 reasonably be questioned, because it is a matter in which the judge has an interest,
4 *see* N.M. Const. art. VI, § 18, or for any other reason justifying recusal, the Election
5 Judge shall immediately apprise the Chief Justice of the perceived need for recusal
6 and the Chief Justice shall determine whether recusal is appropriate. *State ex rel.*
7 *Anaya v. Scarborough*, 1966-NMSC-009, ¶¶ 2, 4, 75 N.M. 702, 410 P.2d 732
8 (explaining that a judge is presumptively biased if they meet any of the grounds for
9 recusal set forth in N.M. Const. art. VI, § 18 and that "an 'interest' necessary to
10 disqualify a judge must be a present pecuniary interest in the result, or actual bias or
11 prejudice, and not some indirect, remote, speculative, theoretical or possible
12 interest."; Rule 21-211(A) NMRA (mandating recusal where a judge's impartiality
13 may reasonably be questioned);

14 IT IS FURTHER ORDERED that in the event that all Election Judges in a
15 single judicial district recuse, the affected judicial district shall notify the Supreme
16 Court the day of said recusal to request the designation of an out-of-district Election
17 Judge and shall identify the case as an election contest or Election Code proceeding;

18 IT IS FURTHER ORDERED that any district judge appointed by a Chief

1 Judge under this order to carry out election day, election night, and post-election
2 judicial duties shall not designate any other person to serve in the judge's place
3 unless otherwise provided in the Election Code;

4 IT IS FURTHER ORDERED that any mandamus proceedings that may be
5 filed under NMSA 1978, § 1-14-21, may be filed in the district court or the Supreme
6 Court, as appropriate, but shall not be filed in the New Mexico Court of Appeals;
7 and

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

11 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 20th day of August, 2026.


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.
Kristen Edwards
Deputy Clerk of the Supreme Court
of the State of New Mexico