

1 ~~[9-401A. Waiver of counsel.~~  
2 ~~[For use with Magistrate Court Rule 6-501 NMRA,~~  
3 ~~Metropolitan Court Rule 7-501 NMRA and~~  
4 ~~Municipal Court Rule 8-501 NMRA]~~

5  
6 STATE OF NEW MEXICO  
7 [COUNTY OF \_\_\_\_\_]  
8 [CITY OF \_\_\_\_\_]  
9 \_\_\_\_\_ COURT

No. \_\_\_\_\_

10  
11 ~~[STATE OF NEW MEXICO]~~  
12 ~~[COUNTY OF \_\_\_\_\_]~~  
13 ~~[CITY OF \_\_\_\_\_]~~

14  
15 v.

16  
17 \_\_\_\_\_, Defendant

18  
19 **WAIVER OF COUNSEL**  
20 *(To be used only if, upon conviction, the*  
21 *defendant may be deprived of liberty)*

22  
23 \_\_\_\_\_ I understand that I am charged with the following offense(s): \_\_\_\_\_  
24 \_\_\_\_\_ which *(strike inapplicable words or*  
25 *parts)* [is] [are] [misdemeanor(s)] under the law and that if I am found guilty I can be given a  
26 severe punishment, including imprisonment in the [New Mexico state penitentiary]  
27 [\_\_\_\_\_ [city] [county] jail] and a fine.

28  
29 \_\_\_\_\_ I understand that under the constitutions of the United States and the State of New Mexico,  
30 I have the right to be represented by a lawyer at all stages of the criminal case — before trial, at  
31 the trial itself, during proceedings to determine what sentence should be imposed if I am found  
32 guilty, and any appeal.

33  
34 \_\_\_\_\_ I understand that if I am unable, without undue hardship, to pay for all or a part of the  
35 expense of legal representation from available present income and assets, a lawyer will be  
36 furnished for me free of charge.

37  
38 \_\_\_\_\_ After reading and understanding all of the above, I hereby give up my rights to a lawyer in  
39 this case.

40  
41 \_\_\_\_\_ **DO NOT SIGN THIS FORM IF YOU**  
42 **WANT AN ATTORNEY. DO NOT SIGN**  
43 **THIS FORM UNLESS YOU HAVE**  
44 **READ IT AND UNDERSTAND IT.**  
45

1 \_\_\_\_\_

2 \_\_\_\_\_ Defendant

3 \_\_\_\_\_

4 ~~\_\_\_\_\_ I find that the defendant, knowingly, voluntarily and intelligently with full awareness of~~  
5 ~~the right to counsel has waived this right.~~

6 \_\_\_\_\_

7 \_\_\_\_\_

8 \_\_\_\_\_ Judge

9 \_\_\_\_\_ Date: \_\_\_\_\_]

10

11 [Adopted, effective September 15, 1997; withdrawn by Supreme Court Order No. 21-8300-023,  
12 effective December 31, 2021.]