

1 ~~[14-7030A. Death penalty sentencing proceeding; explanation of sentence of life~~
2 ~~imprisonment.¹~~

3 ~~—— In New Mexico, a sentence of life imprisonment means that the defendant will not be~~
4 ~~released from prison before serving thirty (30) years in the penitentiary. After thirty (30) years in~~
5 ~~prison, the defendant may have the opportunity to have the defendant's case reviewed by the parole~~
6 ~~board. Therefore, if sentenced to life imprisonment, the defendant will have to serve at least thirty~~
7 ~~(30) years in the penitentiary with no reduction of sentence for good behavior.~~

8 ~~—— [In addition, _____ (name of defendant) has been sentenced to~~
9 ~~additional imprisonment on other felony charges that will be served consecutively to a life~~
10 ~~sentence.]² [_____ (name of defendant) will not be eligible for parole until~~
11 ~~after completion of the sentence on the other charges in addition to the life sentence.~~
12 ~~_____ (name of defendant) will be at least _____ years old before~~
13 ~~becoming eligible for parole.]³~~

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USE NOTES

16 ~~—— 1. —— Upon request of the defendant, this instruction must be given in a death penalty~~
17 ~~sentencing proceeding.~~

18 ~~—— 2. —— Upon request of the defendant, the bracketed sentence is used if the defendant has~~
19 ~~any other sentences to serve.~~

20 ~~—— 3. —— Upon request of the defendant, the bracketed sentence shall be given.]~~

21 [Withdrawn by Supreme Court Order No. 21-8300-008.]