

1 **23-112. Citations for pleadings and other papers.**

2 A. **Applicability; citation rule appendix.** This rule governs the form of citations
3 included in pleadings and papers filed in the courts of this state. Additional citation guidelines and
4 examples of correct forms of citation are included in an appendix immediately following this rule[
5 and are posted on the Supreme Court's website at nmsupremecourt.nmcourts.gov].

6 B. **Citation to New Mexico appellate opinions.**

7 (1) **Official citation.** All precedential opinions issued by the Supreme Court of
8 New Mexico and the New Mexico Court of Appeals shall be assigned an official citation by the
9 Clerk of the Supreme Court that includes the year the opinion was released, the initials of the Court
10 that issued the opinion, and a three-digit number assigned sequentially as opinions are released for
11 publication each calendar year.

12 (2) **Official citation required; use of parallel citation.** Use of the official
13 citation form is required for citations to all opinions of the Supreme Court and the Court of
14 Appeals. When a pinpoint citation is used, it shall consist of a paragraph symbol and a paragraph
15 number placed after the official citation. Parallel citation to the *New Mexico Reports* is mandatory,
16 and citation to the *Pacific Reporter* is discretionary. Do not cite the unofficial hardbound volumes
17 of the New Mexico Appellate Reports.

18 (3) **Exception for papers and pleadings filed by a self-represented litigant.** A
19 self-represented litigant may cite an opinion of the Supreme Court or the Court of Appeals using
20 either the official citation, a citation to the *New Mexico Reports*, or a citation to the *Pacific*
21 *Reporter*. The self-represented litigant's use of any parallel citation is discretionary.

22 C. **Citation to New Mexico statutes.** Citations to the New Mexico statutes shall be to
23 the chapter, article, and section of the official 1978 compilation of the *New Mexico Statutes*

1 *Annotated* (NMSA 1978), followed by parentheses containing the year of the statute's enactment
2 or the most recent amendment applicable to the pending case. The official compilation of the
3 NMSA 1978 is published by the New Mexico Compilation Commission, the official legal
4 publisher for the State of New Mexico.

5 **D. Citation to New Mexico court rules, uniform jury instructions, and forms.**
6 Citations to the rules, uniform jury instructions, and forms promulgated or approved by the
7 Supreme Court shall be to the set and rule number of the *New Mexico Rules Annotated* (NMRA),
8 which is the official compilation of New Mexico state court rules published by the New Mexico
9 Compilation Commission.

10 **E. Citation to the New Mexico Administrative Code.** Citations to the rules or
11 regulations of a state agency shall be to the title, chapter, part, and section of the New Mexico
12 Administrative Code (NMAC).

13 **F. Bluebook citations.** Except as provided in this rule and its appendix, all pleadings
14 and other papers filed in all courts in this state shall follow the form of citations set forth in the
15 current edition of *The Bluebook: A Uniform System of Citation*.

16 [Approved, effective June 4, 2004[⁵]; as amended by Supreme Court Order No. 05-8300-016,
17 effective August 15, 2005; by Supreme Court Order No. 07-8300-011, effective May 10, 2007; by
18 Supreme Court Order No. 08-8300-023, effective August 20, 2008; by Supreme Court Order No.
19 13-8300-013, effective July 1, 2013, for papers to be filed on or after August 1, 2013; as amended
20 by Supreme Court Order No. 22-8300-004, effective for pleadings and papers filed on or after
21 March 31, 2022.]

22 **Committee commentary.** — Self-represented litigants must follow the same rules of
23 procedure that apply to other litigants. See *Newsome v. Farer*, 1985-NMSC-096, ¶ 18, 103 N.M.

1 415, 708 P.2d 327 (“Although pro se pleadings are viewed with tolerance, a pro se litigant, having
2 chosen to represent himself, is held to the same standard of conduct and compliance with court
3 rules, procedures, and orders as are members of the bar.” (internal citation omitted)). However,
4 Subparagraph (B)(3) provides a limited exception for self-represented litigants in recognition of
5 the fact that they often lack access to electronic databases and other legal research materials.
6 [Adopted by Supreme Court Order No. 13-8300-013, effective July 1, 2013, for papers to be filed
7 on or after August 1, 2013; as amended by Supreme Court Order No. 22-8300-004, effective for
8 pleadings and papers filed on or after March 31, 2022.]

Appendix To Rule 23-112 NMRA

TECHNICAL AND CITATION INFORMATION

Please note that the New Mexico appellate courts will use the most recent edition of ~~the~~The *Bluebook: A Uniform System of Citation*.

Table of Contents

I. New Mexico Constitution _____

II. New Mexico Cases _____

 A. Official citation _____

 B. Self-represented litigants _____

 C. ~~[Formal, precedential]~~Precedential opinion that has not yet been assigned a citation _____

 D. ~~[Non-precedential]~~Nonprecedential (unpublished) ~~[eases]~~ appellate opinions _____

 E. Subsequent history..... _____

III. New Mexico Statutes _____

IV. Prior Compilations of New Mexico Statutes..... _____

V. New Mexico Session Laws _____

VI. New Mexico Judicial Rules, Uniform Jury Instructions, and Forms _____

 A. Rules _____

 B. Uniform Jury Instructions _____

 C. Forms _____

 D. Local Rules _____

 E. Committee Commentary and Use Notes _____

VII. New Mexico Attorney General Opinions and Advisory Letters..... _____

VIII. New Mexico Administrative Code (NMAC)..... _____

IX. New Mexico Municipal Ordinances _____

X. Court Filings _____

 A. Appellate court orders and filings..... _____

 B. Trial court orders and filings..... _____

XI. Citation [to]of the Record and Pleadings _____

~~[XI. United States Constitution _____~~

~~XII. United States Supreme Court Opinions _____~~

~~XIII. Federal Opinions _____~~

~~XIV. United States Code and Federal Regulations _____~~

 A. United States Code _____

 B. Code of Federal Regulations _____

 C. Federal Register _____

~~XV. Out of State Constitutions _____~~

~~XVI. Out of State Cases _____~~

~~XVII. Out of State Statutes _____]~~

XII. Federal Authorities..... _____

XIII. Out-of-State Authorities _____

 A. States that have not adopted a public domain citation format _____

1 B. States that have adopted a public domain citation format..... ____
2 XVIII. Law Review Articles and Other Secondary Sources ____
3 A. Law [Reviews]Review Articles..... ____
4 B. Treatises ____
5 C. Restatements ____
6 D. Legal Encyclopedias ____
7 E. American Law Reports (A.L.R) ____
8 F. Internet Citations ____
9

10 I. New Mexico Constitution. [*Bluebook* Rule 11]
11

12 A. Textual sentence:
13

14 Accordingly, there was no violation of Article VI, Section 7 of the New Mexico
15 Constitution.
16

17 B. Citation sentence:
18

19 N.M. Const. art. VI, § 7.
20

21 II. New Mexico Cases. [*See generally Bluebook* Rule 10]
22

23 A. Official citation. [~~A~~]The Clerk of the Supreme Court assigns a standard official
24 citation (also known in other states as vendor-neutral or public domain citation) [~~is~~
25 ~~assigned by the Clerk of the Supreme Court~~] to each precedential opinion. Every
26 paragraph is numbered to facilitate precise pinpoint citations. In 2013 the Supreme
27 Court retroactively assigned standard official citations and paragraph numbers to
28 all New Mexico cases from Volume 1 of the *New Mexico Reports* forward to allow
29 uniform citation of all New Mexico opinions regardless of date of publication.
30

31 [~~Citation to New Mexico caselaw shall be to the official citation. Parallel citation~~
32 ~~to the *New Mexico Reports* through Volume 150, the final published volume, is~~
33 ~~mandatory.] New Mexico’s citation form is case name, official citation, paragraph
34 number for pinpoint, and a parallel citation of *New Mexico Reports* through Volume
35 150, the final volume of the series. Parallel citation [~~to~~]of the *Pacific Reporter* is
36 discretionary. Citation [~~to~~]of the unofficial hardbound volumes of the *New Mexico*
37 *Appellate Reports* shall not be used under any circumstances. Pinpoint citations
38 shall reference the appropriate paragraph number(s), rather than page number(s).
39 [~~Use page numbers for pinpoint citations ONLY if the official citation and/or~~
40 ~~paragraph numbers are not available.]~~~~

41
42 (1) First occurrence:
43

44 *Bianco v. Horror One Prods.*, 2009-NMSC-006, ¶ 10, 145 N.M. 551.
45 or

1 *State v. Dickert*, 2012-NMCA-004, ¶ 28. [published after Volume 150 of
2 the *New Mexico Reports*]

3 or

4 For example, in *Bianco v. Horror One Productions*, we held that a statute,
5 which provides that a district court retains control over a final judgment for
6 thirty days and for such further time as may be necessary to enable the court
7 to dispose of post-judgment motions, applies to workers' compensation
8 cases. 2009-NMSC-006, ¶ 10, 145 N.M. 551.

9 or

10 For example, in *Bianco v. Horror One Productions*, 2009-NMSC-006, ¶ 10,
11 145 N.M. 551, we held that a statute, which provides that a district court
12 retains control over a final judgment for thirty days and for such further time
13 as may be necessary to enable the court to dispose of post-judgment
14 motions, applies to workers' compensation cases.

15
16 (2) **With parallel citation [to]of the *Pacific Reporter*:**

17
18 *Bianco v. Horror One Prods.*, 2009-NMSC-006, ¶ 10, 145 N.M. 551, 202
19 P.3d 810.

20 or

21 *State v. Dickert*, 2012-NMCA-004, ¶ 28, 268 P.3d 515. [published after
22 Volume 150 of the *New Mexico Reports*]

23
24 (3) **Subsequent occurrences:**

25
26 *Bianco*, 2009-NMSC-006, ¶ 10.

27 or

28 *Dickert*, 2012-NMCA-004, ¶ 28.

29 or

30 *Id.* ¶ 28.

31 **NOT *Id.* at ¶ 28.**

32
33 (4) **With footnote pinpoint:**

34
35 *Bianco v. Horror One Prods.*, 2009-NMSC-006, ¶ 5 n.1, 145 N.M. 551.

36 [~~or~~

37 ~~*Bianco v. Horror One Prods.*, 2009-NMSC-006, ¶ 5 n.1, 145 N.M. 551, 202~~
38 ~~P.3d 810.~~

39 ~~or~~

40 ~~... as the Court described so eloquently in *Bianco*. 2009-NMSC-006, ¶ 5~~
41 ~~n.1.]~~

42 or

43 *Bianco*, 2009-NMSC-006, ¶ 5 n.1.

44 or

45 *Id.* ¶ 5 n.1.
46

1 B. **Self-represented litigants.** A self-represented litigant may cite New Mexico cases
2 using either the official citation, a citation [tø]of the *New Mexico Reports*, or a
3 citation [tø]of the *Pacific Reporter*. Use of any parallel citations is discretionary.
4 Use page numbers for pinpoint citations **only** if paragraph numbers are not
5 available.

6
7 (1) **First occurrence:**

8
9 (a) **Official citation only:**

10
11 *State v. Jones*, 1995-NMCA-073, ¶ 18.

12
13 (b) ***New Mexico Reports* only:**

14
15 *State v. Jones*, 120 N.M. 185, 190 (Ct. App. 1995).

16
17 (c) ***Pacific Reporter* only:**

18
19 *State v. Jones*, 899 P.2d 1139, 1144 (N.M. Ct. App. 1995).

20
21 (d) ***New Mexico Reports* and *Pacific Reporter* only:**

22
23 *State v. Jones*, 120 N.M. 185, 190, 899 P.2d 1139, 1144 (Ct. App.
24 1995).

25
26 (2) **Subsequent occurrences:**

27
28 (a) **Official citation only:**

29
30 *Jones*, 1995-NMCA-073, ¶ 18.
31 or
32 *Id.* ¶ 18.

33
34 (b) ***New Mexico Reports* only:**

35
36 *Jones*, 120 N.M. at 190.
37 or
38 *Id.* at 190.

39
40 (c) ***Pacific Reporter* only:**

41
42 *Jones*, 899 P.2d at 1144.
43 or
44 *Id.* at 1144.

45
46 (d) ***New Mexico Reports* [tø] and *Pacific Reporter* only:**

1
2 *Jones*, 120 N.M. at 190, 899 P.2d at 1144.
3 or
4 *Id.* at 190, 899 P.2d at 1144.
5

6 C. ~~[Formal, p]~~**Precedential opinion that has not yet been assigned a citation.** To
7 cite a ~~[formal,]~~ precedential opinion that has not yet received any or all of its official
8 or *Pacific Reporter* citations, use one of the following forms.
9

10 (1) **First occurrence:**

11
12 ~~[*State v. Largo*, 2012 NMSC ____, ¶ 17, __ P.3d __ (No. 32,055, May 21,~~
13 ~~2012).]~~
14 *Morris v. Giant Four Corners, Inc.*, __-NMSC- __, ¶ 24, __ P.3d
15 (S-1-SC-37997, July 19, 2021).
16

17 (2) **Subsequent occurrences:**

18
19 ~~[*Largo*, 2012 NMSC ____, ¶ 17.~~
20 ~~or~~
21 ~~*Id.* ¶ 17.]~~
22 *Morris*, __-NMSC- __, ¶ 24.
23 or
24 *Id.* ¶ 24.
25

26 ~~[(3) **Certiorari granted in the opinion under consideration:**~~

27
28 ~~*State v. Huettl*, 2013 NMCA 038, ¶ 17, cert. granted, 2013 NMCERT __~~
29 ~~(No. 34,009, Mar. 1, 2013).~~
30 ~~or~~
31 ~~*State v. Huettl*, 2013 NMCERT 003.]~~
32

33 D. ~~[Non-precedential]~~**Nonprecedential (unpublished) [eases] appellate opinions.**
34 To cite a ~~[non-precedential decision of the]~~ Supreme Court decision or a ~~[non-~~
35 ~~precedential memorandum opinion of the]~~ Court of Appeals memorandum opinion,
36 use the following forms and indicate in a parenthetical that the disposition is ~~[non-~~
37 ~~precedential]~~nonprecedential, in accordance with Rule 12-405(D) NMRA.
38

39 (1) **First occurrence:**

40
41 ~~[*State v. Macias*, No. 33,065, dec. at 3 (N.M. Sup. Ct. Mar. 11, 2013) (non-~~
42 ~~precedential).]~~
43 ~~or~~
44 ~~*Mannick v. Wakeland*, No. 21,989, mem. op. at 8-9 (N.M. Ct. App. Jan. 4,~~
45 ~~2002) (non-precedential).]~~

1 State v. Vigil, S-1-SC-37763, dec. ¶ 6 (N.M. Feb. 8, 2021)
2 (nonprecedential).

3 or

4 State v. Jackson, A-1-CA-38455, mem. op. ¶¶ 3-4 (N.M. Ct. App. Mar. 15,
5 2021) (nonprecedential).

6
7 (2) **Subsequent occurrences:**

8
9 [~~Macias, No. 33,065, dec. at 3.~~

10 ~~or~~

11 ~~Mannick, No. 21,989, mem. op. at 8-9.]~~

12 Vigil, S-1-SC-37763, dec. ¶ 6.

13 or

14 Jackson, A-1-CA-38455, mem. op. ¶¶ 3-4.

15
16 **E. Subsequent history [See generally Bluebook Rule 10.7]**

- 17
18 (1) **Certiorari granted in the opinion under consideration.** To cite a Court
19 of Appeals opinion that is currently under review by the Supreme Court on
20 certiorari, use *only* the New Mexico official case citation. Append
21 subsequent history explaining that certiorari has been granted and
22 parenthetically citing the Supreme Court case number and date of the order
23 granting certiorari. When available, the New Mexico official citation of the
24 appropriate certiorari table may be included, and the date of the order may
25 be omitted from the parenthetical.

26
27 State v. Hildreth, 2019-NMCA-047, ¶ 19, cert. granted (S-1-SC-37558,
28 Sept. 9, 2019).

29 or

30 State v. Hildreth, 2019-NMCA-047, ¶ 19, cert. granted, 2019-NMCERT-
31 009 (S-1-SC-37558).

- 32
33 (2) **Cert. denied or cert. quashed.** When a case in which the Supreme Court
34 denied or quashed certiorari is more than two years old, omit “cert. denied”
35 or “cert. quashed” from its subsequent history unless the denial or quash is
36 particularly relevant.

37
38 State v. Ochoa, 2009-NMCA-002, ¶ 8, 146 N.M. 32, 206 P.3d 143, cert.
39 quashed (S-1-SC-31430, Nov. 19, 2009).

40
41 **III. New Mexico Statutes. [See generally Bluebook Rule 12]**

42
43 Cite New Mexico statutes using the chapter, article, and section of the official 1978
44 compilation of the *New Mexico Statutes Annotated* (NMSA 1978). Following the first
45 occurrence, include in parentheses the year of the statute’s enactment or the most recent
46 amendment applicable to the pending case, as shown in the history note in the NMSA 1978.

1 Spell out and capitalize the word “Section” whenever a reference to a statute is in a textual
2 sentence and whenever “Section” is the first word in a citation sentence. In all other
3 occurrences, use the section symbol, “§.”
4

5 **A. First occurrence:**

6
7 **(1) Textual sentence:**

8
9 The Legislature enacted NMSA 1978, Section 39-3-1.1(C) (1999)[~~5~~] to
10 create a comprehensive scheme for appealing final decisions of certain
11 administrative agencies. [~~If a previous version of the statute is being cited,~~
12 ~~rather than the most recent version, cite it as: NMSA 1978, Section 39-3-~~
13 ~~1.1(C) (1998, amended 1999).]~~

14
15 **(2) Citation sentence:**

16
17 [~~In 1998, the~~]The Legislature created a comprehensive scheme for
18 appealing the final decisions of certain administrative agencies. *See* NMSA
19 1978, § 39-3-1.1(C) [~~(1998, amended)~~ 1999].

20
21 **(3) [~~Citation~~] Textual sentence with a citation clause:**

22
23 Plaintiff asserts that jurisdiction is limited only by the venue statute, NMSA
24 1978, § 38-3-1(G) (1988), which states that . . .

25
26 **(4) Multiple subsections in a citation sentence or citation clause:**

27
28 NMSA 1978, § 66-8-102(B), (D) [~~(2010)](2016).~~
29 or
30 NMSA 1978, § 66-8-102(A)-(C) (2016).

31
32 **(5) Entire act or range of statutes in a citation sentence or citation clause:**

33
34 Use the year of the original enactment and the date of the most recent
35 amendment. DO NOT use “*et seq.*”

36
37 Procurement Code, NMSA 1978, §§ 13-1-28 to -199 (1984, as amended
38 through [2011]2021). [~~Cite the date of the original enactment and the date~~
39 ~~of the most recent amendment. Do NOT use “*et seq.*”]~~

40 or
41 This opinion addresses the New Mexico Medical Malpractice Act (MMA),
42 NMSA 1978, §§ 41-5-1 to -29 (1976, as amended through 2021).

43
44 ~~[(6) —~~ **Entire act or a range of statutes in a textual sentence:**
45

1 ~~Additionally, Taxpayers argue that NMSA 1978, Sections 10-2-1 to 12~~
2 ~~(1876, as amended through 1967), which they call the "Bond Act," requires~~
3 ~~Department employees to obtain "faithful performance bond[s]."~~
4

5 **B. Subsequent occurrences:**

6
7 (1) **Textual sentence:**

8
9 Plaintiff suggests that this statutory provision does not conflict with the
10 specific restrictions in Section 39-3-1.1(C).

11
12 (2) **Citation sentence:**

13
14 *See* § 38-3-1(G); § 39-3-1.1(C).

15 or

16 Section 38-3-1(G).

17 or

18 *See* §§ 13-1-28 to -199.

19
20 (3) **[~~Citation~~]Textual sentence with a citation clause:**

21
22 We are not persuaded that the Legislature could have intended the general
23 jurisdiction and venue statutes, [~~§ 38-3-1.1; § 38-3-1~~]§§ 38-3-1, -1.1, to
24 unconstitutionally expand the appellate jurisdiction of the district courts.

25 or

26 The general jurisdiction and venue statutes, *see* [~~§ 38-3-1.1; § 38-3-1~~]§§ 38-
27 3-1, -1.1, do not expand the appellate jurisdiction of the district courts.

28
29 **C. Previous versions of amended statutes.** If citing a previous version of the statute
30 rather than the most recent version, cite both the year of the applicable version and
31 the year of the most recent amendment.

32
33 (1) **First occurrence:**

34
35 Textual sentence:

36
37 This case requires us to examine NMSA 1978, Section 14-2-1(A)(4)
38 (2011, amended 2019).

39
40 Citation sentence or citation clause:

41
42 NMSA 1978, § 14-2-1(A)(4) (2011, amended 2019).

43
44 (2) **Subsequent occurrences:**

1 Maintain a date parenthetical with the year of the applicable version of the
2 statute whenever a subsequent citation refers to a version other than the
3 most recent amendment.

4
5 Textual sentence:

6
7 We conclude that Section 14-2-A-4 (2011) does not create a blanket
8 exception from inspection for law enforcement records relating to
9 an ongoing criminal investigation.

10
11 Citation sentence or citation clause:

12
13 See § 14-2-1(A)(4) (2011).

14
15 **IV. Prior Compilations of New Mexico Statutes.**

16
17 For usage in textual sentences and citation clauses, follow the principles illustrated by the
18 examples in Section III of this appendix.

19
20 **A. Citation sentence:**

21
22 NMSA 1953, § 59-10-2.1 (1973).
23 NMSA 1953, § 59-10-12.12 (1975) (Vol. 9, 2d Repl., Part 1, 1975 Pocket Supp.).
24 NMSA 1941, § 38-1813 (1945) (1951 Pocket Supp.).
25 NMSA 1929, § 11-804 (1933) (1938 Supp.).
26 NMSA 1915, § 131 (1897).

27
28 [~~For usage in textual sentences and citation clauses, follow the principles illustrated~~
29 ~~by the examples in the New Mexico Statutes section.~~]

30
31 **V. New Mexico Session Laws.**

32
33 **A. Textual sentence:**

34
35 Chapter 38, Section 7 of New Mexico Laws of 1987 provides . . .

36
37 **B. Citation sentence or citation clause:**

38
39 1987 N.M. Laws, ch. 38, § 7.

40
41 **C. Session law with a ~~web site~~website address:**

42
43 [~~H.B. 13, 50th Leg., 1st Sess. (N.M. 2011), available~~
44 ~~at <http://www.nmlegis.gov/Sessions/11%20Regular/final/HB0013.pdf>]~~
45 H.B. 4, 55th Leg., 1st Sess. (N.M. 2021),
46 <http://www.nmlegis.gov/Sessions/21%20Regular/final/HB0004.pdf>.

1
2 **D. Session law enacted during a special session:**

3
4 1999 N.M. Laws, 1st Spec. Sess., ch. 3, § 8(A)(1).

5
6
7 **VI. New Mexico Judicial Rules, Uniform Jury Instructions, and Forms.**

8
9 No date parenthetical is necessary if citing a current Rule, Uniform Jury Instruction, or
10 Form. [H]When citing a previous version of a Rule, Uniform Jury Instruction, or Form,
11 include in parentheses for each occurrence the year of the version that is being cited.

12
13 **A. Rules.**

14
15 **(1) First occurrence:**

16
17 Rule 5-103(C)(1)(a) NMRA.

18
19 **(2) Subsequent occurrences:**

20
21 Rule 5-103(C)(1)(a).

22
23 **(3) Previous version:**

24
25 Rule 5-103 NMRA [~~1998~~](2005).

26
27 **B. Uniform Jury Instructions.**

28
29 **(1) First occurrence:**

30
31 UJI [~~14-3104~~]14-403 NMRA.

32
33 **(2) Subsequent occurrences:**

34
35 UJI [~~14-3104~~]14-403.

36
37 **(3) Previous version:**

38
39 UJI 14-403 NMRA (1997).

40
41 **C. Forms.**

42
43 **(1) First occurrence:**

44
45 Form 9-406 NMRA.

1 (2) **Subsequent occurrences:**

2 Form 9-406.

3
4
5 (3) **Previous version:**

6 Form 9-406 NMRA (2007).

7
8
9 **D. Local Rules.**

10
11 (1) **First occurrence:**

12 LR2-308 NMRA.

13
14
15 (2) **Subsequent occurrences:**

16 LR2-308.

17
18
19 (3) **Previous version:**

20 LR2-308 NMRA (2015).

21
22
23 **E. Committee Commentary and Use Notes.**

24 Use “comm. cmt.” or “use note” following the main citation.

25 See UJI 14-132 NMRA use note 1.

26 or

27 Rule 16-804 NMRA comm. cmt. 1.

28
29
30
31 **VII. New Mexico Attorney General Opinions and Advisory Letters.**

32 If available, cite the file number of the opinion or letter.

33
34
35 A. [~~N.M. Att’y Gen. Op. 91-06 (1991).~~]**Textual sentence.**

36
37 A New Mexico Attorney General Advisory Letter to Senator Timothy Z. Jennings
38 dated February 20, 2004, expressed the then Attorney General’s opinion that
39 “statutes limit marriage in New Mexico to a man and a woman.”

40 or

41 The Retiree Health Care Authority is subject to the regulatory provisions applicable
42 to other state agencies, as described in the New Mexico Attorney General Opinion
43 in response to Robert Vigil, State Auditor, and Ben Lujan, State Representative,
44 No. 91-06 (May 14, 1991).

45
46 **B. Citation sentence or citation clause.**

1
2 N.M. Att’y Gen., No. 77-25 (Sept. 20, 1977) (advisory letter to Mr. John
3 Anderson).
4 or
5 N.M. Att’y Gen. (Oct. 21, 2019) (opinion regarding administration of residential
6 Property Assessed Clean Energy (PACE) financing loans).
7

8 **VIII. New Mexico Administrative Code (NMAC).** [*See generally* 1.24.10.9 NMAC]
9

10 Regulations contained in the NMAC may be cited using a [short] citation format that
11 includes the title number, chapter number, part number, and section number, separated by
12 and followed by “NMAC.” When citing a previous version of a regulation, include in
13 parentheses the effective date of the version that is being cited.
14

15 **A. Citing a section.**

16
17 (1) **Current version:**

18
19 3.1.3.8 NMAC.

20
21 (2) **Current version with pinpoint [citation]:**

22
23 3.1.3.8(A) NMAC.

24
25 (3) **Previous version with effective date:**

26
27 3.1.3.8 NMAC (10/31/1996).

28
29 **B. Citing a whole part.** When reference is to the whole part, include in parentheses
30 the original effective date together with the date of the last amendment.
31

32 3.1.3 NMAC (07/19/1967, as amended through [~~12/29/2000~~]9/25/2018).
33

34 **IX. New Mexico Municipal Ordinances.** [*Bluebook* Rule 12.9.2]
35

36 **A.** Albuquerque, N.M., Rev. Ordinances of Albuquerque ch. 3, art. II, § 3-2-
37 15[~~(D)~~](B) (1974, amended [~~2001~~]2021).
38

39 **X. Court Filings**

40
41 **A. Appellate court orders and filings.**

42
43 Cite appellate court orders in the following format: title of order, case name, case
44 number (appellate court, date).
45

46 (1) **New Mexico Supreme Court Order:**

1
2 Order, *Siebert v. Okun*, S-1-SC-37231 (N.M. Sept. 24, 2018).

3
4 **(2) Filing in the New Mexico Supreme Court:**

5
6 Plaintiff-Appellee’s Motion to Dismiss or, in the Alternative, Motion to
7 Strike Defendants-Appellants’ Notice of Appeal Regarding an Award of
8 Costs, *Siebert v. Okun*, S-1-SC-37231 (N.M. Apr. 8, 2019).

9
10 **(3) New Mexico Court of Appeals Order:**

11
12 Order of Certification to the New Mexico Supreme Court, *Siebert v. Okun*,
13 A-1-CA-36067 (N.M. Ct. App. Aug. 30, 2018).

14
15 **B. Trial court orders and filings.**

16
17 Cite trial court orders and filings in the following format: title of order or filing,
18 case name, case number (trial court, date).

19
20 Memorandum Opinion and Order, *Siebert v. Okun*, D-202-CV-2013-05878
21 (2d Jud. Dist. Ct. Mar. 23 2018).

22
23 **[X]XI. Citation [to]of the Record and Pleadings.**

24
25 **[A. Use bold face for citation to the record below of the case at issue:**

26
27 Volume 2, record proper, page 497, paragraph 21 **[2 RP 497 ¶ 21]**
28 Volume 3, supplemental record proper, page 561, **[3 SRP 561 ¶ 2]**
29 paragraph 2
30 June 12, 2012 Vol. 1 of transcript, page 3, line 4 **[6-12-12-1 Tr. 3:4]**
31 May 9, 2007 tape 6, counter 1303 **[5-9-07-6 T 1303]**
32 May 9, 2007 compact disc 2, counter 9:23:21 **[5-9-07-2 CD 9:23:21]**
33 May 9, 2007 compact disc 2, counter 9:23:21 to 37 **[5-9-07-2 CD 9:23:21-37]**
34 Record proper 77, finding of fact 20 **[RP 77 FOF 20]**
35 or **[RP 77 ¶ 20]**
36 Record proper 80, conclusion of law 5 **[RP 80 COL 5]**
37 or **[RP 80 ¶ 20]**
38 Plaintiff’s exhibit 5 **[Plaintiff’s Ex. 5]**
39 Deposition of John Smith, page 30, line 16 **[Dep. JS 30:16]**

40
41 **B. Citation to pleadings and court documents:**

42
43 Brief in Chief, page 5 **[BIC 5]**
44 Answer Brief, page 3 **[AB 3]**
45 Reply Brief, page 2 **[RB 2]**
46 Calendar Notice, page 1 **[CN 1]**

1	Memorandum in Opposition, page 3	[MIO 3]
2	Dispositional Order of Affirmance, page 4	[DOA 4]
3	Dispositional Order of Reversal, page 2	[DOR 2]
4	May 3, 2012 Motion, page 3	[5-3-12 MOT 3]
5	January 27, 2012 Order, page 2	[1-27-12 ORD 2]

6
7 Use boldface for citation of filings and court records below for the case at issue and enclose
8 in brackets.
9

<u>Brief in Chief, page 5</u>	[BIC 5]
<u>Answer Brief, page 3</u>	[AB 3]
<u>Reply Brief, page 2</u>	[RB 2]
<u>Amicus Brief, page 27</u>	[AmB 27]
<u>Brief in Chief for Cross-Appeal, page 4</u>	[XBIC 4]
<u>Calendar Notice, page 1</u>	[CN 1]
<u>Docketing Statement, page 6</u>	[DS 6]
<u>Memorandum in Opposition, page 3</u>	[MIO 3]
<u>Memorandum in Support, page 7</u>	[MIS 7]
<u>Dispositional Order of Affirmance, page 4</u>	[DOA 4]
<u>Dispositional Order of Reversal, page 2</u>	[DOR 2]
<u>May 3, 2012 Motion, page 3</u>	[5-3-12 Mot. 3]
<u>January 27, 2012 Order, page 2</u>	[1-27-12 Ord. 2]
<u>Notice of Appeal, page 2</u>	[NOA 2]
<u>Writ Petition, page 8</u>	[Pet. 8]
<u>Response to Pet., page 9</u>	[Rsp. 9]
<u>Writ Cross-Petition, page 5</u>	[XPet. 5]
<u>Application for Interlocutory Appeal, page 3</u>	[App. 3]

For Short Record Proper or Transcript:

<u>Record proper page 25</u>	[RP 55]
<u>Transcript page 92</u>	[Tr. 92]
<u>Record proper page 77, finding of fact 20</u>	[RP 77 FOF 20] or [RP 77 ¶ 20]
<u>Record proper page 80, conclusion of law 5</u>	[RP 80 COL 5] or [RP 80 ¶ 5]

For More Extensive Record Proper or Transcript:

<u>Volume 2, record proper, page 497, paragraph 21</u>	[2 RP 497 ¶ 21]
<u>Volume 3, supplemental record proper, page 561,</u> <u>paragraph 2</u>	[3 SRP 561 ¶ 2]
<u>June 12, 2012 Vol. 1 of transcript, page 3, line 4</u>	[6-12-12 1 Tr. 3:4]
<u>May 9, 2007 compact disc 2, counter 9:23:21</u>	[5-9-07 2 CD 9:23:21]

May 9, 2007 compact disc 2, counter 9:23:21 to 37

[5-9-07 2 CD
9:23:21-37]
[Pltf. Ex. 5]
[St. Ex. 33]
[Def. Ex. 59]
[Dep. JS 30:16]

Plaintiff's exhibit 5

State's exhibit 33

Defendant's exhibit 59

Deposition of John Smith, page 30, line 16

1
2
3 ~~[XI. United States Constitution. [Bluebook Rule 11]~~

4
5 ~~—— A. Textual sentence:~~

6
7 ~~—— Accordingly, there was no violation of Article I, Section 8 of the United States~~
8 ~~Constitution.~~

9
10 ~~—— B. Citation sentence:~~

11
12 ~~—— U.S. Const. art. 1, § 8.~~

13
14 ~~XII. United States Supreme Court Opinions. [Bluebook T1.1]~~

15
16 ~~A. Citation to just the *United States Reports*, when available, is sufficient. When~~
17 ~~the *United States Reports* citation is not available, cite the *Supreme Court Reporter*,~~
18 ~~if available. If neither the *United States Reports* nor the *Supreme Court Reporter* is~~
19 ~~available, cite the *United States Supreme Court Reports, Lawyers' Edition*.~~

20
21 ~~—— *Barker v. Wingo*, 407 U.S. 514, 520 (1972).~~

22
23 ~~XIII. Federal Opinions. [See generally Bluebook T1 for specific courts and abbreviations]~~

24
25 ~~A. Citation sentence. Follow the principles illustrated by the examples in the New~~
26 ~~Cases section.~~

27
28 ~~—— *Sage Realty Corp. v. Ins. Co. of N. Am.*, 34 F.3d 124 (2d Cir. 1994).~~

29
30 ~~—— *Richter v. Van Amberg*, 97 F. Supp. 2d 1255, 1261 (D.N.M. 2000).~~

31
32 ~~—— *Beaufort Transfer Co. v. Fischer Trucking Co.*, 357 F. Supp. 662, 667 (E.D. Mo.~~
33 ~~1973).~~

34
35 ~~XIV. United States Code and Federal Regulations.~~

36
37 ~~A. *United States Code*. [Bluebook Rules 12.2 & 12.3] Cite the *United States*~~
38 ~~*Code* (U.S.C.) rather than the two unofficial versions, the *United States Code*~~
39 ~~*Annotated* (U.S.C.A.) and the *United States Code Service* (U.S.C.S.). For the, cite~~
40 ~~the most recent edition of the U.S.C. (currently 2006), which is published every six~~

1 years, or the supplement (currently 2011), **NOT** the date of enactment, amendment,
2 or the date found in either the U.S.C.A. or the U.S.C.S. Cite the unofficial versions
3 only if a statute was enacted or amended after the latest edition or supplement of
4 the code.

5
6 ~~—————~~ (1) ~~Textual sentence:~~

7
8 This case addresses the relationship between the Indian Child Welfare Act
9 of 1978 (ICWA), 25 U.S.C. §§ 1901-1963 (2006), which sets "minimum
10 Federal standards for the removal of Indian children from their families,"
11 § 1902, and the New Mexico Abuse and Neglect Act, NMSA 1978,
12 §§ 32A-4-1 to 34 (1993, as amended through 2009), which governs the
13 State's transfer of custody of a child in cases of abuse or neglect.

14
15 ~~—————~~ (2) ~~Citation sentence:~~

16
17 ~~—————~~ Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e)(1) (2006).

18 ~~—————~~ or

19 ~~—————~~ 18 U.S.C. § 924(e)(1) (2006).

20 ~~—————~~ or, if found only in the Supplement,

21 ~~—————~~ 12 U.S.C. § 5511(a) (Supp. 2011).

22
23 ~~B. Code of Federal Regulations. [Bluebook Rule 14] Cite the section or sections~~
24 ~~upon rather than the part. Include in parentheses the most recent edition of the code.~~

25
26 ~~—————~~ (1) ~~Citation sentence:~~

27
28 ~~—————~~ 28 C.F.R. § 104.43(a) (2011).

29
30 ~~C. Federal Register. [Bluebook Rule 14] When citing, give both the page on which~~
31 ~~the regulation begins and the page(s) on which the cited content appears.~~

32
33 ~~—————~~ (1) ~~Citation sentence:~~

34
35 ~~—————~~ See Pueblo of Santa Ana Liquor Ordinance, 71 Fed. Reg. 17,903, 17,910 Apr. 7,
36 2006).]

37
38 ~~[XV. Out of State Constitutions. [Bluebook Rule 11]~~

39
40 ~~—————~~ A. ~~Textual sentence:~~

41
42 ~~—————~~ Accordingly, there was no violation of article 1, section 12 of the South Carolina
43 Constitution.

44
45 ~~—————~~ B. ~~Citation sentence:~~

1 _____ S.C. Const. art. 1, § 12.
2

3 **XVI. ~~Out of State Cases.~~** [*Bluebook* Rule 10 & T1]
4

5 A. ~~Citation sentence.~~ Follow the principles illustrated by the examples in the New
6 Mexico Cases section. When a reporter has the name of the state in its title, i.e.,
7 the Cal. Rptr. or the N.Y. Supp., do not include the state abbreviation in the date.
8

9 _____ *State v. Barness*, 200 N.W.2d 300 (Minn. 1972) (per curiam).
10

11 _____ *City of Austin v. Travis Cnty. Landfill Co.*, 25 S.W.3d 191, 197 (Tex. Ct. App.
12 _____ 1999), rev'd, 73 S.W.3d 234 (Tex. 2002).
13

14 _____ *Ashley v. State*, 614 So. 2d 486 (Fla. 1993).
15

16 _____ *People v. Curtis*, 37 Cal. Rptr. 2d 304, 312 (Ct. App. 1994).
17

18 B. ~~Official, vendor neutral, or public domain citation format.~~ Follow a state's
19 regarding use of any official, vendor neutral, or public domain citation format. For
20 example, applicable in Colorado to opinions published on or after January 1, 2012,
21 "Legal practitioners and self-represented parties will be ~~but not required~~ to use
22 the public domain citation format instead of citing to the *Pacific Reporter*.
23 Irrespective of which citation format is used, a citation to the other format is also
24 not required." Chief Justice Directive 12-01, Colorado Supreme Court (Jan. 3,
25 2012), available _____ at [http://www.courts.
26 state.co.us/Courts/Supreme_Court/Directives/CJD%2012-01.pdf](http://www.courts.state.co.us/Courts/Supreme_Court/Directives/CJD%2012-01.pdf).
27

28 _____ (1) ~~Colorado public domain citation:~~
29

30 _____ *People v. Esparza*, 2012 CO 22, ¶ 11.
31

32 _____ *Alpenhof, LLC v. City of Ouray*, 2013 COA 9, ¶ 18.
33

34 **XVII. ~~Out of State Statutes.~~** [*See generally Bluebook* Rule 12 & T1]
35

36 _____ Following the first occurrence, include in parentheses the year of the statute's
37 enactment or the most recent amendment applicable to the pending case.
38

39 A. ~~First occurrence:~~
40

41 _____ Cal. Penal Code § 647.6(a)(1) (1995).
42

43 _____ Ind. Code Ann. § 11-8-8-5(b)(1) (2013).
44

45 _____ Mont. Code Ann. § 46-23-502(9)(b) (2007).
46

1 ~~_____ S.C. Code Ann. § 23-3-430(A) (2010).~~

2
3
4 ~~_____ B. **Subsequent occurrences:**~~

5
6 ~~_____ Cal. Penal Code § 647.6(a).~~

7
8 ~~_____ Ind. Code Ann. § 11-8-8-5(b)(1).~~

9
10 ~~_____ Mont. Code Ann. § 46-23-502(9).~~

11
12 ~~_____ S.C. Code Ann. § 23-3-430.]~~

13
14 **XII. Federal Authorities.**

15
16 For citation of the United States Constitution and other federal authorities including cases,
17 statutes, rules, and judicial, legislative, administrative, and executive materials, follow the
18 rules and principles set forth in the relevant section of the *Bluebook*.

19
20 **XIII. Out-of-State Authorities.**

21
22 For citation of out-of-state constitutions and other out-of-state authorities including cases,
23 statutes, rules, and judicial, legislative, administrative, and executive materials, follow the
24 rules and principles set forth in the relevant section of the *Bluebook*.

25
26 When citing out-of-state cases, follow the additional guidance below.

27
28 **A. States that have not adopted a public domain citation format.**

29
30 When citing an out-of-state court decision from a jurisdiction that has not adopted
31 a public domain citation format, only cite the regional reporter. No parallel citation
32 is necessary.

33 Indicate the name of the state in the date parenthetical and, if the decision is not
34 from that state's highest court, the level of court that issued the decision. When a
35 reporter has the name of the state in its title, i.e., the Cal. Rptr. or the N.Y. Supp.,
36 **DO NOT** include the state abbreviation in the date parenthetical. *Bluebook* Rule
37 10.4(b).

38 Examples:

39 *State v. Barness*, 200 N.W.2d 300 (Minn. 1972) (per curiam).

40 *City of Austin v. Travis Cnty. Landfill Co.*, 25 S.W.3d 191, 197 (Tex. App.
41 1999), *rev'd*, 73 S.W.3d 234 (Tex. 2002).

42 *Ashley v. State*, 614 So. 2d 486 (Fla. 1993).

1 People v. Curtis, 37 Cal. Rptr. 2d 304, 312 (Ct. App. 1994).

2 **B. States that have adopted a public domain citation format.**

3
4 When citing an out-of-state court decision from a jurisdiction that has adopted a
5 public domain citation format, follow the state’s convention regarding that format.
6 See Bluebook Table T1.3. Because public domain citations usually include
7 reference to the date and jurisdiction, a parenthetical providing that information is
8 generally unnecessary. Only include such a parenthetical when the state’s public
9 domain citation rule so requires or if that information is not provided by the public
10 domain citation.

11 The public domain citation must be followed by a parallel citation of the regional
12 reporter. As with New Mexico cases, only one pinpoint is required. Unless the state
13 does not assign paragraph numbers, the pinpoint will be the paragraph number.

14 Examples:

15 Leyba v. People, 2021 CO 54, ¶ 13, 489 P.3d 728.

16 People v. Young, 2013 IL App (4th) 120228, ¶ 23, 996 N.E. 671.

17 Greer v. State ex rel. Dep’t of Transp. & Dev., 2006-417, p. 9 (La. App. 3
18 Cir. 10/4/06); 941 So.2d 141.

19
20 **[XVIII;]XIV. Law Review Articles and Other Secondary Sources.**

21
22 Include as much information, including page numbers, as is helpful to locate the
23 [citation]source.

24
25 **A. Law [Reviews]Review Articles.** [Bluebook Rule 16]

26
27 (1) **First occurrence:**

28
29 Roberta K. Flowers, *What You See Is What You Get: Applying the*
30 *Appearance of Impropriety Standard to Prosecutors*, 63 Mo. L. Rev. 699
31 (1998).

32
33 (2) **Subsequent occurrences:**

34
35 Flowers, *supra*, at 712-16, 766.

36
37 **B. Treatises.** [Bluebook Rule 15]

38
39 (1) **First occurrence:**

1 5 Wayne R. LaFave et al., *Criminal Procedure* § 20.3(j), at [421-28 (3d ed.
2 2007)]503-11 (4th ed. 2015).

3
4 (2) **Subsequent occurrences:**

5
6 5 LaFave, *supra*, § 20.3(i), at [417]495.

7 or

8 *Id.* at [425]507.

9 or

10 *Id.* § [20.2(j), at 422-23]20.3(j), at 504-05.

11
12 C. **Restatements.** [*Bluebook* Rule [42.9.5]12.9.4]

13
14 (1) **First occurrence:**

15
16 Restatement (Third) of Prop.: Servitudes § 1.2(1), at 12 (2000).

17
18 Restatement (Second) of Torts § 623A cmt. a (1977).

19
20 (2) **Subsequent occurrences:**

21
22 Restatement (Second) of Torts § 623A cmt. a, at 335.

23
24 (3) **In text:**

25
26 In Section 682, comment a of the Restatement (Second) of Torts (1977), the
27 authors stated, “The gravamen of the misconduct for which the liability
28 stated in this section [abuse of process] is imposed . . . is the misuse of
29 process, no matter how properly obtained, for any purpose other than that
30 which it was designed to accomplish.”

31
32 D. **Legal Encyclopedias.** [*Bluebook* Rule 15.8]

33
34 (1) **First occurrence:**

35
36 40 C.J.S. *Homicide* § 164 [(2006)](2014).

37
38 24 Am. Jur. 2d *Divorce & Separation* § 118 (2008).

39
40 (2) **Subsequent occurrences:**

41
42 40 C.J.S. *Homicide* § 164.

43
44 24 Am. Jur. 2d *Divorce & Separation* § 118.

45
46 E. **American Law Reports (A.L.R.).** [*Bluebook* Rule 16.7.6]

1
2 (1) **First occurrence:**

3
4 Earl L. Kellett, Annotation, *Proof of Injury to Reputation as Prerequisite to*
5 *Recovery of Damages in Defamation Action—Post-Gertz Cases*, 36 A.L.R.
6 4th 807, § 2[b] (1985).

7
8 (2) **Subsequent occurrences:**

9
10 Kellett, Annotation, 36 A.L.R. 4th 807, § 2[b].

11
12 F. **Internet Citations.** [*Bluebook* Rule 18]

13
14 (1) **Direct citations [~~to Internet sources~~]:**

15
16 N.M. Corr. Dep’t Policies, Inmate Discipline CD-090101(C)(1) [~~Jan. 25,~~
17 ~~2012), <http://corrections.state.nm.us/policies/docs/CD-090100.pdf>](May~~
18 ~~28, 2019), <https://cd.nm.gov/wp-content/uploads/2019/06/CD-090100.pdf>.~~

19
20 [~~(2) Parallel citations to Internet sources:~~

21
22 ~~Denise D. Fort, The Utton Center, *Water Matters!*, Adjudications 4-1~~
23 ~~(2013), available at <http://uttoncenter.unm.edu/projects/water-matters.php>~~
24 ~~(follow “Water Matters!” hyperlink).]~~

25
26 (2) **Citing an intervening page of hyperlinks:**

27
28 Denise D. Fort, The Utton Center, *Water Matters!*, Adjudications 3-1
29 (2014), [https://uttoncenter.unm.edu/resources/research-resources/water-](https://uttoncenter.unm.edu/resources/research-resources/water-matters-.html)
30 [matters-.html](https://uttoncenter.unm.edu/resources/research-resources/water-matters-.html) (last visited June 29, 2021) (follow the “Adjudications
31 (2014)” hyperlink).

32
33 [Appendix, Adopted June 4, 2004; as amended by Supreme Court Order No. 13-8300-013,
34 effective July 1, 2013, for papers to be filed on or after August 1, 2013; as amended by Supreme
35 Court Order No. 22-8300-004, effective for pleadings and papers filed on or after March 31, 2022.]

36
37 [~~Committee commentary.—Self-represented litigants must follow the same rules of procedure~~
38 ~~that apply to other litigants. See *Newsome v. Farer*, 103 N.M. 415, 419, 708 P.2d 327, 331 (1985)~~
39 ~~(“Although pro se pleadings are viewed with tolerance, a pro se litigant, having chosen to represent~~
40 ~~himself, is held to the same standard of conduct and compliance with court rules, procedures, and~~
41 ~~orders as are members of the bar.” (internal citation omitted)). However, Subparagraph (B)(3)~~

- 1 ~~provides a limited exception for self-represented litigants in recognition of the fact that they often~~
- 2 ~~lack access to electronic databases and other legal research materials.~~
- 3 ~~[Adopted by Supreme Court Order No. 13-8300-013, effective July 1, 2013, for papers to be filed~~
- 4 ~~on or after August 1, 2013.]~~