

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **November 1, 2022**

3 **NO. 22-8300-015**

4 **IN THE MATTER OF THE AMENDMENT**
5 **OF RULES 5-106, 5-401, 5-403, and 5-409**
6 **NMRA OF THE RULES OF CRIMINAL**
7 **PROCEDURE FOR THE DISTRICT**
8 **COURTS, RULES 6-401, 6-403, 6-409, AND**
9 **6-501 NMRA OF THE RULES OF**
10 **CRIMINAL PROCEDURE FOR THE**
11 **MAGISTRATE COURTS, RULES 7-401, 7-**
12 **403, 7-409 AND 7-501 NMRA OF THE**
13 **RULES OF CRIMINAL PROCEDURE FOR**
14 **THE METROPOLITAN COURTS, RULES**
15 **8-401 AND 8-403 NMRA OF THE RULES**
16 **OF PROCEDURE FOR THE MUNICIPAL**
17 **COURTS, AND FORM 9-303 NMRA OF**
18 **THE CRIMINAL FORMS**

19 **ORDER**

20 WHEREAS, this matter came on for consideration upon recommendation of
21 the Rules of Criminal Procedure for State Courts Committee to amend Rules 5-106,
22 5-401, 5-403, and 5-409 NMRA of the Rules of Criminal Procedure for the District
23 Courts, Rules 6-401, 6-403, 6-409, and 6-501 NMRA of the Rules of Criminal
24 Procedure for the Magistrate Courts, Rules 7-401, 7-403, 7-409 and 7-501 NMRA
25 of the Rules of Criminal Procedure for the Metropolitan Courts, Rules 8-401 and 8-
26 403 NMRA of the Rules of Procedure for the Municipal Courts, and Form 9-303
27 NMRA of the Criminal Forms, and the Court having considered the recommendation

1 and being sufficiently advised, Chief Justice C. Shannon Bacon, Justice Michael E.
2 Vigil, Justice David K. Thomson, Justice Julie J. Vargas, and Justice Briana H.
3 Zamora concurring;

4 NOW, THEREFORE, IT IS ORDERED that the amendment of Rules 5-106,
5 5-401, 5-403, 5-409, 6-401, 6-403, 6-409, 6-501, 7-401, 7-403, 7-409, 7-501, 8-401,
6 and 8-403 NMRA is APPROVED;

7 IT IS FURTHER ORDERED that the amendment of Form 9-303 NMRA is
8 APPROVED;

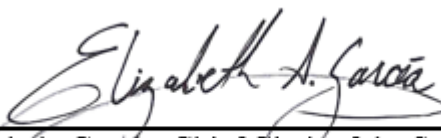
9 IT IS FURTHER ORDERED that the above-referenced amendments to the
10 NMRA shall be **effective December 31, 2022**; and

11 IT IS FURTHER ORDERED that the Clerk of the Court is authorized and
12 directed to provide notice of the above-referenced amendments on the Supreme
13 Court's public website and in the *Bar Bulletin* and to publish the amendments in the
14 *New Mexico Rules Annotated*.

15 IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief
Justice of the Supreme Court of the State of New Mexico,
and the seal of said Court this 1st day of November, 2022.


Elizabeth A. Garcia, Chief Clerk of the Supreme Court
of the State of New Mexico