

Administrative Office of the Courts

Supreme Court of New Mexico

Arthur W. Pepin, Director



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Santa Fe, NM 87501

Judicial Information Division (JID)

FORECLOSURE CASES IN DISTRICT COURT

Standard Operating Procedure

Version 1.0.0

Created: (08/2021)

Approved by: OJUG on August 19, 2021

Foreclosure Cases in District Court

COURT / DEPARTMENT / DIVISION AND USER

This procedure is to be used by District Courts.

INTRODUCTION

On August 2, 2021, the NM Supreme Court signed Order Number 21-8300-004 adopting new Rules 1-003.3 and 1-054.2 NMRA of the Rules of Civil Procedure for the District Courts and Civil Forms 4-227 and 4-712 NMRA for Pre-Filing and Pre-Judgment Requirements in foreclosure actions. The new Rules are effective for all cases filed on or after September 7, 2021.

1-003.3 NMRA requires that a Certification of Pre-filing Notice, Form 4-227 NMRA, be submitted with any complaint initiating a foreclosure action. The Rule also states that the **clerk shall NOT accept for filing a foreclosure complaint that is not submitted with the certification.**

1-054.2 NMRA requires that a precondition to entry of a judgment, a Certification Concerning Loan Modification and/or Loss Mitigation Negotiations, Form 4-712 NMRA, must be filed.

RELEVANT DATA STANDARDS

Data Standards were approved by the Supreme Court on May 20, 2020. Using the data standards will result in improved data collection and reporting; improved data quality; improved consistency in case processing; improved court efficiency; and improved ability to establish court staffing needs. Refer to the following data standards for any procedures that may or may not be specifically mentioned in this SOP:

General	Case Specific
1.15.0 Scanning	4.2.0 General Civil Data Standards – Case Initiation
1.16.0 Service	4.3.0 General Civil Data Standards – Parties
	4.4.0 General Civil Data Standards – Causes of Action
	4.5.0 General Civil Data Standards – Pleadings
	4.6.0 General Civil Data Standards – Case Management
	4.7.0 General Civil Data Standards – Dispositions
	4.8.0 General Civil Data Standards – Case Closure

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NAVIGATION AND STEPS

INITIATING A FORECLOSURE CASE

Begin in Tyler File & Serve Review Queue.

- Envelopes are separated by a red line with the case number, caption and judge assigned for pending cases, date and time the envelope was filed (submitted).
- New cases appear with only the envelope number listed and date and time the envelope was filed (submitted) since the case has not been accepted by the court.
- The Court File stamp will not appear on the documents or in Odyssey until they are accepted by the clerk and the date and time on the stamp will reflect the date and time the envelope was filed (submitted).
- Some courts have review queues set to specifically hold new case filings.
- You may be able to distinguish foreclosures cases on this screen if the attorney's office put enough information in the description of the documents (the fourth column in the envelope). This does not always happen.
- You may also be able to distinguish foreclosure cases because the correct case type of Real Estate (the third column in the envelope) has been used by the attorney's office.
- Some courts have specific employees assigned to initiate all new cases submitted through File & Serve. There may also be local procedures as to the sequence that submissions should be accepted in. Follow your local procedures for processing submissions.

1. Click on the play button to begin working the new case envelope.

The screenshot displays the 'REVIEW QUEUE' interface for the State of New Mexico. The top navigation bar includes links for WORKSPACE, MY ACCOUNT, COURT ADMIN, FIRM ADMIN, HELP, ABOUT, and LOGOUT. Below the navigation bar, there are tabs for FILINGS, BOOKMARKS, TEMPLATES, REVIEW QUEUE (selected), REVIEW HISTORY, and SERVICE CONTACTS. The main content area shows a list of cases with columns for Status, Filing Code, Case Type, Filing Description, Queue, and Reviewer. A red line separates different cases. The bottom case, Envelope # 14567, is highlighted in yellow and has a blue play button icon next to it, indicating it is the next case to be worked.

Status	Filing Code	Case Type	Filing Description	Queue	Reviewer
Submitted	MTN: FOR DEFAULT JUDGMENT	General Civil		7th Magistrate - MOIM - Subseq	
Submitted	Affidavit / Affirm of Plaintiff Support A	General Civil		7th Magistrate - MOIM - Subseq	
Submitted	Proposed Default Judgment	General Civil		7th Magistrate - MOIM - Subseq	
Case # M-56-CV-2020-00038 - Opportunity Financial LLC, Plaintiff(s) v. Betty Nelson, Defendant(s) (Judge, Division)					
Envelope # 14469 Rec'd 7/19/2021 at 5:14 PM by Tobie Fournet on behalf of Megan Dorsey					
Status	Filing Code	Case Type	Filing Description	Queue	Reviewer
Submitted	MTN: FOR DEFAULT JUDGMENT	General Civil		7th Magistrate - MOIM - Subseq	
Submitted	Affidavit / Affirm of Plaintiff Support A	General Civil		7th Magistrate - MOIM - Subseq	
Submitted	Proposed Default Judgment	General Civil		7th Magistrate - MOIM - Subseq	
Case # M-23-CV-2021-00001 - Paula Plaintiff, Plaintiff(s) v. Danny Defendant, Defendant(s) (Mitchell, Karen P.)					
Envelope # 12091 Rec'd 7/14/2021 at 12:16 PM by Margarita Terrell on behalf of Megan Dorsey					
Status	Filing Code	Case Type	Filing Description	Queue	Reviewer
Court Processing	OPN: GENERAL CIVIL COMPLAINT	General Civil	General Civil Complaint	Entered Filings	
Envelope # 14567					
Envelope # 14567 Rec'd 8/1/2021 at 4:10 PM by Arlene Baca on behalf of NIA JUD Admin					
Status	Filing Code	Case Type	Filing Description	Queue	Reviewer
Submitted	OPN: COMPLAINT	Real Estate	Complaint for Foreclosure	Civil Initial Filings	

2. Verify the case was submitted to the correct judicial district and court by
3. Verify that the correct case type was selected. All foreclosure cases should have a case category of Civil and a case type of Real Estate.
 - Note in our example, the fees appear as a Waiver account and there are no fees assessed. This is not something you would typically see and is for demonstrative purposes only. If a filing fee was paid, it would

The screenshot displays the New Mexico Court E-filing system interface. The top navigation bar includes links for WORKSPACE, MY ACCOUNT, COURT ADMIN, FIRM ADMIN, HELP, ABOUT, and LOGOUT. The user is logged in as Arlene Baca. The main area shows a draft foreclosure order rules and forms (7-28-21) (1).pdf. The left sidebar contains sections for Case Information, Envelope # 00014567, Filer Information, New Parties, Fees, and Filing Information. The Case Information section shows the Case Number, Location (Dona Ana County), Description, Category (Civil), Type (Real Estate), Status (Not Created), and Judge. The Envelope # 00014567 section shows the Submit Date (8/1/2021 4:10 PM), Docket Date (8/1/2021 4:10 PM), Filing Attorney (NM JID Admin), and Payment Account (Waiver). The Fees section shows a Total of \$0.00. The Filing Information section shows the Description (Complaint for Foreclosure). The main area displays the draft foreclosure order rules and forms (7-28-21) (1).pdf. The document is titled "STATE OF NEW MEXICO COUNTY OF DONA ANA THIRD JUDICIAL DISTRICT COURT" and "WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT INDIVIDUALLY BUT SOLELY AS TRUSTEE FOR FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1". The document is a "DRAFT FORECLOSURE ORDER" and includes a "COMPLAINT FOR FORECLOSURE" section. The document is marked as "EXAMPLE" and "IN REM COMPLAINT FOR FORECLOSURE".

4. Verify that the Certification of Pre-filing Notice was submitted.

Under 1-003.3 NMRA, a Certification of Pre-filing Notice, Form 4-227 NMRA, shall be submitted with any complaint initiating a foreclosure action...

the clerk shall not accept for filing any foreclosure complaint that is not submitted with the certification form required under this rule

In our example below, there is only one item in the envelope. This envelope would be rejected because it does not comply with the new Rule.

WORKSPACE MY ACCOUNT COURT ADMIN FIRM ADMIN HELP ABOUT LOGOUT Welcome Arlene Baca

OPN: COMPLAINT
Lead Document (Lead)
E-Filed Document

4

Draft Foreclosure Order Rules and Forms (7-28-21) (1).pdf [Original] [PDF] 0 Redactions

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT

No. [REDACTED]

WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT INDIVIDUALLY BUT SOLELY AS TRUSTEE FOR FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1,

Plaintiff,

v.

THE UNKNOWN HEIRS, DEVISEES AND LEGATEES OF DIAN A. WILDE, DECEASED, SECRETARY OF HOUSING AND URBAN DEVELOPMENT AND DEPARTMENT OF THE TREASURY - INTERNAL REVENUE SERVICE,

Defendants.

EXAMPLE

IN REM COMPLAINT FOR FORECLOSURE

COMES NOW Plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, not individually but solely as trustee for FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1, by and through its attorneys, Rose L. Brand & Associates, P.C. (Matthew Goen), and for its cause of action states:

1. The real property that is the subject matter of this action is located in Dona Ana County, New Mexico, and venue is properly before this Court.

2. The execution and delivery of the Note and Mortgage occurred in New Mexico, on property situated in New Mexico, and the purchase of said property and the assumption of the indebtedness by said Note and Mortgage and payment thereof, constitutes a transaction of business in New Mexico subjecting the borrower and mortgagor to the jurisdiction of this Court as provided by the laws of the State of New Mexico. Defendants, The Unknown Heirs, Devisees

Case Information
Case Number [REDACTED]
Location: Dona Ana County
Description: Civil
Type: Real Estate
Status: Not Created
Judge: [REDACTED]

Envelope # 00014567
Submit Date: 8/1/2021 4:10 PM
Docket Date: 8/1/2021 4:10 PM
Filing Attorney: NM JID Admin
Payment Account: Waiver

Filer Information
New Parties
Plaintiff: Out of this World Mortgage Se 1234 Not Nasa Las Cruces, NM 88003 Attorney: NM JID Admin
Defendant: Richard Branson 1234 I was First Las Cruces, NM 88003
Defendant: Jeff Bezos 5678 I went Higher Las Cruces, NM 88003

Fees
Total: \$0.00

Filing Information
Description: Complaint for Foreclosure

5. If the case is rejected, select Rejected and type in the reason why the envelope is rejected in the comment space provided.
6. Confirm Reject.
 - Since you are rejecting the case initiation, you must reject everything included in the envelope.

Select Reason

- File failed virus scan
- Filing of Subpoenas Returns, Interrogatories, Request for Production of Documents, Request
- Please remove added party and resubmit filing
- Rejected
- Rejected
- System will not allow pleading to be E-filed due to Service Contact information issue

Reject Comment

Certification per 1-003.3 required. Please re-submit. at

Confirm Reject

5

6

7. If the Certification of Pre-Filing Notice, Form 4-227 NMRA, has been submitted, continue with checking the filings for acceptance
8. Click through the document to get to the signature page.

Workspace MY ACCOUNT COURT ADMIN FIRM ADMIN HELP ABOUT LOGOUT Welcome Arlene Baca

OPIN: COMPLAINT
Document (Lead)
E-Filed Document

Foreclosure: Cert of Pre-Filing Notice
Lead Document (Lead)
E-Filed Document

Case Information

Case Number: [Blank]
Location: Dona Ana County
Description: [Blank]
Category: Civil
Type: Real Estate
Status: Not Created
Judge: [Blank]

Envelope # 00014567

Submit Date: 8/1/2021 4:10 PM
Docket Date: 8/1/2021 4:10 PM
Filing Attorney: NM JID Admin
Payment Account: Waiver

Filer Information

New Parties

Plaintiff: Out of this World Mortgage Se
1234 Not Nasa
Las Cruces, NM 88003
Attorney: NM JID Admin

Defendant: Richard Branson
1234 I was First
Las Cruces, NM 88003

Defendant: Jeff Bezos
5678 I went Higher
Las Cruces, NM 88003

Fees Total: \$0.00

Filing Information

Description: Complaint for Foreclosure

Draft Foreclosure Order Rules and Forms (7-28-21) (1).pdf [Original] [PDF] 0 Redactions

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT

No. [Blank]

WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT INDIVIDUALLY BUT SOLELY AS TRUSTEE FOR FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1,
Plaintiff,
v.
THE UNKNOWN HEIRS, DEVISEES AND LEGATEES OF DIAN A WILDE, DECEASED, SECRETARY OF HOUSING AND URBAN DEVELOPMENT AND DEPARTMENT OF THE TREASURY - INTERNAL REVENUE SERVICE,
Defendants.

IN REM COMPLAINT FOR FORECLOSURE

COMES NOW Plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, not individually but solely as trustee for FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1, by and through its attorneys, Rose L. Brand & Associates, P.C. (Matthew Goen), and for its cause of action states:

- The real property that is the subject matter of this action is located in Dona Ana County, New Mexico, and venue is proper before this Court.
- The execution and delivery of the Note and Mortgage occurred in New Mexico, on property situated in New Mexico, and the purchase of said property and the assumption of the indebtedness by said Note and Mortgage, and payment thereof, constitutes a transaction of business in New Mexico subjecting the borrower and mortgagor to the jurisdiction of this Court as provided by the laws of the State of New Mexico. Defendants, The Unknown Heirs, Devisees

1 of 5

9. Check for signature. If the attorney uses and electronic signature, it must be in approved format of “/s/” followed by the name of the person who signed the original document per 1-005.2(H)(2)(b) NMRA.
10. Return back to opening page in document.

Workspace MY ACCOUNT COURT ADMIN FIRM ADMIN HELP ABOUT LOGOUT Welcome Arlene Baca

OPIN: COMPLAINT
Document (Lead)
E-Filed Document

Foreclosure: Cert of Pre-Filing Notice
Lead Document (Lead)
E-Filed Document

Case Information

Case Number: [Blank]
Location: Dona Ana County
Description: [Blank]
Category: Civil
Type: Real Estate
Status: Not Created
Judge: [Blank]

Envelope # 00014567

Submit Date: 8/1/2021 4:10 PM
Docket Date: 8/1/2021 4:10 PM
Filing Attorney: NM JID Admin
Payment Account: Waiver

Filer Information

New Parties

Plaintiff: Out of this World Mortgage Se
1234 Not Nasa
Las Cruces, NM 88003
Attorney: NM JID Admin

Defendant: Richard Branson
1234 I was First
Las Cruces, NM 88003

Defendant: Jeff Bezos
5678 I went Higher
Las Cruces, NM 88003

Fees Total: \$0.00

Filing Information

Description: Complaint for Foreclosure

Draft Foreclosure Order Rules and Forms (7-28-21) (1).pdf [Original] [PDF] 0 Redactions

purchaser be provided possession of the Property on production of the Special Master's Deed sheweth:

F. For the entry of an Order of Forcible Entry and Detainer directing that Plaintiff be allowed immediate entry and possession of the Property, that the Court issue a Writ of Assistance if necessary to enable the purchaser under the sale to take possession of the Property.

G. To foreclose the interests acquired subsequent to Plaintiff's interest of any of the other Defendants in the Property.

H. That Plaintiff have an *in rem* judgment as set forth herein, for all attorney fees, costs, interest, and other charges expended in this proceeding, for each other and further relief as the Court deems just and proper.

ROSE L. BRAND & ASSOCIATES, P.C.

By: Matthew Goen
MATTHEW GOEN
Attorney for Plaintiff
7430 Washington Street, NE
Albuquerque, NM 87109
Telephone: (505) 833-3036
Facsimile: (505) 833-3040
E-mail: Matthew.Goen@rcsbrand.com

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11. Compare the information on the complaint to the data entered by the attorney's office.
- Remember, attorneys or their staff have not been trained as clerks so, courts cannot rely on how data is entered by an external filer. It is ultimately the clerk's responsibility to ensure data is entered correctly into Odyssey.
 - If the information is incorrect in the File & Serve environment, it will carry into Odyssey incorrectly. Some of the data cannot be corrected by clerks and may require that a Service Desk ticket be created to request that JID correct the information.
 - The File and Serve environment is the best place to make changes to a Category, Type, Party or Document Description.
 - Special attention should be paid to party names. Rules for how party names should be entered in File and Serve are attached as an appendix to this SOP.

The screenshot shows the Odyssey Case Information screen. At the top, there are tabs for 'WORKSPACE' and 'MY ACCOUNT'. Below the tabs, there is a section for 'OPN: COMPLAINT' with a dropdown menu showing 'Lead Document (Lead)' and 'E-Filed Document'. Below this, there is a section for 'Foreclosure: Cert of Pre-Filing Notice' with a dropdown menu showing 'Lead Document (Lead)' and 'E-Filed Document'. The main section is titled 'Case Information' and contains the following fields:

Case Number	
Location	Dona Ana County
Description	
Category	Civil
Type	Real Estate
Status	Not Created
Judge	

Below the Case Information section, there is a section for 'Envelope # 00014567' with the following fields:

Submit Date	8/1/2021 4:10 PM
Docket Date	8/1/2021 4:10 PM
Filing Attorney	NM JID Admin
Payment Account	Waiver

Below the Envelope section, there is a section for 'Filer Information' and 'New Parties'.

Plaintiff	Out of this World Mortgage Se 1234 Not Nasa Las Cruces, NM 88003 Attorney: NM JID Admin
Defendant	Richard Branson 1234 I was First Las Cruces, NM 88003
Defendant	Jeff Bezos 5678 I went Higher Las Cruces, NM 88003

Below the New Parties section, there is a section for 'Fees' with a total of \$0.00. Below the Fees section, there is a section for 'Filing Information' with a dropdown menu showing 'Complaint for Foreclosure'.

A blue circle with the number '11' is overlaid on the screen, with three arrows pointing to the 'Category' field, the 'Type' field, and the 'Filing Information' dropdown menu.

12. To edit any entries made by the attorney's office, click on the Edit button. Follow normal File and Serve editing procedures.

The screenshot shows a web application interface with a top navigation bar containing 'WORKSPACE' and 'MY ACCOUNT'. Below this, there's a sidebar with 'Draft Foreclosure Order Rules and Forms'. The main content area is titled 'OPN: COMPLAINT' and contains two sections: 'Lead Document (Lead)' and 'Foreclosure: Cert of Pre-Filing Notice'. The 'Foreclosure: Cert of Pre-Filing Notice' section has a blue circle with the number '12' pointing to the 'Edit' button. The 'Edit' button is located next to the 'Verify Parties' button. Below these buttons is the 'Case Information' section, which includes fields for Case Number, Location, Description, Category, Type, Status, and Judge. The 'Envelope # 00014567' section shows submission and docket dates, filing attorney, and payment account. The 'Filer Information' section shows the plaintiff and defendant information. The 'Fees' section shows a total of \$0.00. The 'Filing Information' section shows the description of the filing as 'Complaint for Foreclosure'.

13. Work through all the sections and make any necessary changes.

The screenshot shows the 'Edit Envelope' dialog box with a blue circle containing the number '13' pointing to the 'Case Information' tab. The dialog box has five tabs: '1 Case Information', '2 Parties', '3 Filings', '4 Service Contacts', and '5 Summary'. The 'Case Information' tab is selected. The background shows the same web application interface as the previous screenshot, with the 'OPN: COMPLAINT' form and the 'Draft Foreclosure Order Rules and Forms' sidebar.

14. After edits have been completed, Accept the documents in the envelope by clicking on each document and then the Accept button.

The screenshot displays the New Mexico Judicial Information System interface. The top navigation bar includes links for WORKSPACE, MY ACCOUNT, COURT ADMIN, FIRM ADMIN, HELP, ABOUT, and LOGOUT. The user is logged in as Arlene Baca. The main content area shows a draft foreclosure order for the State of New Mexico, County of Dona Ana, Third Judicial District Court. The document is titled "Draft Foreclosure Order Rules and Forms (7-28-21) (1).pdf" and is in PDF format with 0 redactions. The document content includes the case number, parties, and the text of the foreclosure order. A blue circle with the number 14 is placed over the "Accept" button in the right-hand toolbar. Arrows point from the "Accept" button to the "Draft Foreclosure Order Rules and Forms (7-28-21) (1).pdf" document in the top toolbar and to the "Draft Foreclosure Order" document in the main content area.

Workspace | MY ACCOUNT | COURT ADMIN | FIRM ADMIN | HELP | ABOUT | LOGOUT | Welcome Arlene Baca

OPN: COMPLAINT

- Document (Lead)
- E-Filed Document

Foreclosure: Cert of Pre-Filing Notice

- Lead Document (Lead)
- E-Filed Document

Case Information

Case Number: [Redacted]
Location: Dona Ana County
Description: [Redacted]
Category: Civil
Type: Real Estate
Status: Not Created
Judge: [Redacted]

Envelope # 00014567

Submit Date: 8/1/2021 4:10 PM
Docket Date: 8/1/2021 4:10 PM
Filing Attorney: NM JID Admin
Payment Account: Waiver

Filer Information

New Parties

Plaintiff: Out of this World Mortgage Se
1234 Not Nasa
Las Cruces, NM 88003
Attorney: NM JID Admin

Defendant: Richard Branson
1234 I was First
Las Cruces, NM 88003

Defendant: Jeff Bezos
5678 I went Higher
Las Cruces, NM 88003

Fees Total: \$0.00

Filing Information

Description: Complaint for Foreclosure

Draft Foreclosure Order Rules and Forms (7-28-21) (1).pdf [Original] [PDF] 0 Redactions

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT COURT

No. [Redacted]

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EXAMPLE

v.

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Defendants.

IN REM COMPLAINT FOR FORECLOSURE

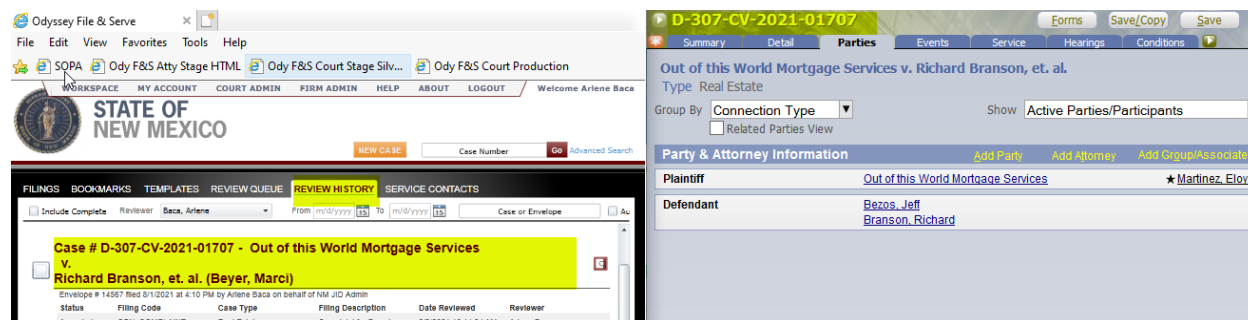
COMES NOW Plaintiff, WILMINGTON SAVINGS FUND SOCIETY, FSB, not individually but solely as trustee for FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1, by and through its attorneys, Rose L. Brand & Associates, P.C. (Matthew Goen), and for its cause of action states:

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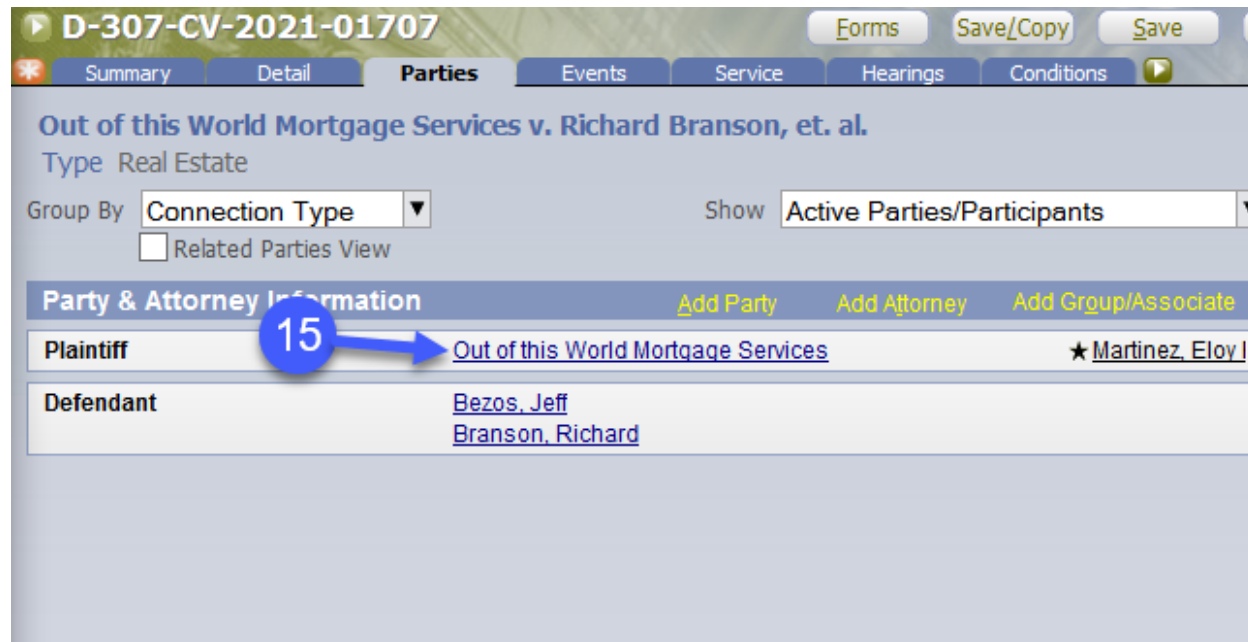
1 of 5

PROCESSING A FORECLOSURE CASE IN ODYSSEY

Additional processing in Odyssey is required. Work from the File and Serve Review History tab and the new case in Odyssey. We will work the Odyssey tabs from left to right. Not all cases will require additions to the Parties tab.



15. To add to a party, do so by clicking into the parties tab and clicking on the party that needs to be updated. For this example, we will add a dba for the plaintiff. Follow normal procedures when working with parties.



16. In the Case Party Details, click on the plus sign to add a dba.

D-307-CV-2021-01707 Forms Save/Copy Save

Summary Detail **Parties** Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

Group By: Connection Type Show: Active Parties/Participants

Modify Case Party Details

Name 16

Out of this World Mortgage Services

Style

☐ Do Not Send Notice
☐ Always Send Notice
☐ Display as Restricted Party in Public

Connection

Type	Plaintiff
Added	08/01/2021

Address

Party Correspondence Address
1234 Not Nasa
Las Cruces, NM 88003

★ Case Correspondence Address
Same As Party Correspondence Address

Additional

★ Birth Date
No Birth Date

★ Social Security
No Social Security

★ Driver's License
No Driver's License

Attorney

★ Martinez, Eloy F.

Continue Exit

17. If adding a business name, be sure to select the business button.

18. Save.

Modify Case Party Details

Name Address

Out of this

Select Names

Primary Name on Case Type

☒ ☒ Out of this

Style

☐ Do Not S

☐ Always S

☐ Display a

Connecti

Type

Added

18

17

Business World Mortgage Inc

☐ Standard ☐ Nickname ☒ Business

☐ Current Known Name

Save Exit

New Name Continue Exit

Continue Exit

19. Check the box for the name you added. Using the drop down list, select the correct description.
20. Continue.

Modify Case Party Details

Name Address

Out of this

Select Names

Primary Name on Case Type

☒ ☒ Out of this World Mortgage Serv

☒ World Mortgage Inc

Style

☐ Do Not S

☐ Always S

☐ Display a

Connecti

Type

Added

19

20

Also Known As
Doing Business As
Formerly Doing Business As
Formerly Known As
Now Known As
On Behalf Of

New Name Continue Exit

Continue Exit

21. Verify the name appears correctly.
22. Continue.

D-307-CV-2021-01707 Forms Save/Save

Summary Detail **Parties** Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

Group By Connection Type Show Active Parties/Participants

Modify Case Party Details

Name
Out of this World Mortgage Services
DBA World Mortgage Inc

Address
Party Correspondence Address
1234 Not Nasa
Las Cruces, NM 88003
Case Correspondence Address
Same As Party Correspondence Address

Style ABC

☐ Do Not Send Notice
☐ Always Send Notice
☐ Display as Restricted Party in Public

Connection

Type	Plaintiff
Added	08/01/2021

Additional
Birth Date No Birth Date
Social Security No Social Security
Driver's License No Driver's License

Attorney
★ Martinez, Eloy E.

Continue Exit

23. On the Events tab, verify images came over from Odyssey.

D-307-CV-2021-01707 Forms Save/Save

Summary Detail Parties **Events** Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

Events Previous Next

Date	Type and Comment	
08/01/2021	Foreclosure: Certification of Pre-Filing Notice Certification of Pre-filing No	
08/01/2021	OPN: COMPLAINT Complaint for Foreclosure	

24. Go to the Causes tab

25. Click on the plus sign to add causes.

File View Tools Centers Create Task Help

D-307-CV-2021-01707 Forms Save/Copy Save

24 Causes Disposition Time Stds Financial Prot. Orders Warrants Bonds

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

25

File Date	Causes of Action	Type	Description
No causes of action exist for this case.			
Click the add icon to add a new causes of action.			

26. Using the drop down list, select Foreclosure. Ensure that the date accurately reflects when the complaint was filed.
- At a minimum, one cause of action must be added. Some districts may have their own local procedures for adding Causes of Action.
27. Save.
- Note: As a foreclosure case proceeds, a separate Cause of Action should be added when and if other claims are filed in a case (ex: counter-claim, cross-claim, third party claim). The correct filing date should be reflected. The description should provide more detail (ex: cross-claim filed by XXX).

D-307-CV-2021-01707 Forms Save/Copy Save

Causes Disposition Time Stds Financial Prot. Orders Warrants Bonds

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

27

File Date	Causes of Action	Type	Description
08/01/2021	Action		

Causes of Action Type

Cause Code

Description

26

Foreclosure

File Date 08/01/2021

Remedies Sought

D-307-CV-2021-01707 Forms Save/Copy Save

Summary Detail Parties Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

File Date	Causes of Action	Type	Description
08/01/2021	Foreclosure	Action	

28. Go back to File and Serve Review History and place a check mark in the box next to the caption of the case you just completed. This indicates that all case initiation processing is done. The envelope will be removed from the Review History.

Odyssey File & Serve

File Edit View Favorites Tools Help

SOPA Ody F&S Atty Stage HTML Ody F&S Court Stage Silv... Ody F&S Court Production

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STATE OF NEW MEXICO

NEW CASE Case Number Advanced Search

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28 Case Complete Reviewer Baca, Arlene From 10/1/2021 To 10/1/2021 Case or Envelope Au

Case # D-307-CV-2021-01707 - Out of this World Mortgage Services v. Richard Branson, et. al. (Beyer, Marci)

Envelope # 14367 Filed 8/1/2021 at 4:10 PM by Arlene Baca on behalf of NM JID Admin

Status	Filing Code	Case Type	Filing Description	Date Reviewed	Reviewer
Accepted	OPN: COMPLAINT	Real Estate	Complaint for Foreclosure	8/3/2021 10:14:34 AM	Arlene Baca

D-307-CV-2021-01707 Forms Save/Copy Save

Summary Detail Parties Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al.
Type Real Estate

Group By Connection Type Show Active Parties/Participants

☐ Related Parties View

Party & Attorney Information Add Party Add Attorney Add Group/Associate

Plaintiff	Out of this World Mortgage Services	★ Martinez, Eloy
Defendant	Bezos, Jeff Branson, Richard	

DOCKETING CODES TO BE USED IN A FORECLOSURE CASE

There are some very specific docketing codes to be used for Foreclosure cases. Below is a table with those codes and usage notes.

Note that courts with Foreclosure Settlement Projects may have additional codes available at their court node specific to their program. Those codes are not included below.

Code	Description	Usage Notes
1900	Foreclosure: Certification of Pre-Filing Notice	Form 4-227 NMRA shall be submitted with any complaint initiating a foreclosure action per 1-003.3 NMRA. Required for cases filed on or after September 7, 2021.
1901	Foreclosure: Cert Absence Loan Mod/Loss Mitigation Neg	Form 4-712 NMRA shall be filed as a pre-condition to any entry of judgment of foreclosure per 1-054.2 NMRA. Required for cases filed on or after September 7, 2021. Note: A CSOR should not be issued if this document has not been filed in cases filed on or after September 7, 2021.
8371	Foreclosure: Affidavit Possession of Original Note	To be used when an Affidavit or Certification of Possession of Original Note is filed indicating that the Original Note is in the possession of the Plaintiff's attorney
8372	Foreclosure: Affidavit/Verification	To be used when an Affidavit or Certification has been filed indicating that the amount of the outstanding debt has been verified and is correct.
8420	FSP: Order of Referral to Foreclosure Settlement Project	Only for use in Districts with Foreclosure Settlement Projects. To be used when a matter is referred to the FSP program.
8423	FSP: Order Lifting Stay Foreclosure Settlement Project	Only for use in District with Foreclosure Settlement Projects. To be used when a matter is no longer pending in FSP program and is ready to proceed in regular court process.

CERTIFICATE AS TO THE STATE OF THE RECORD (CSOR)

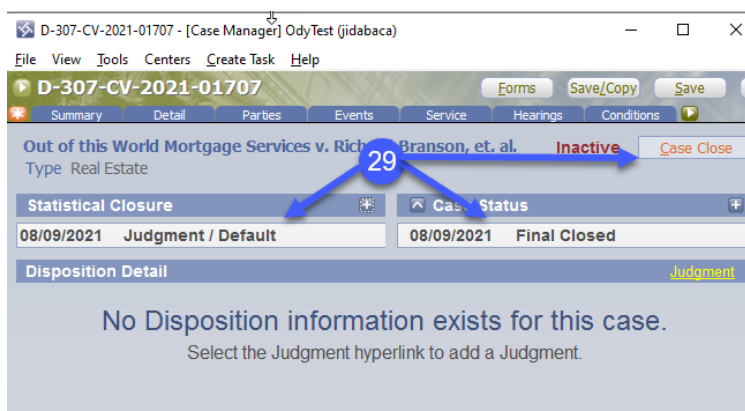
If the Plaintiff is seeking a default judgment in a foreclosure case, the clerk must ensure that Form 4-712 NMRA has been filed with the court prior to issuing the CSOR.

DISPOSITION

When judgments are received in foreclosure cases, the cases must be closed properly in the Disposition tab. This includes deleting the judgment component and adding the foreclosure component.

In our example, we are going to assume that the judgment has been e-filed using the correct codes and the clerk is now working their Review History. We are also going to assume that all claims (including counter claims, cross-claims and third-party claims) are now closed. When a judgment is correctly e-filed using a CLS (closing) code, the Case Status and Statistical Closure are updated automatically when the document transfers to Odyssey.

29. In the Disposition Tab, verify that the case status has been updated. Click on Case Close.



30. Follow local procedures for dealing with hearings. Save.

D-307-CV-2021-01707 - [Case Manager] OdyTest (jidabaca)

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Summary Detail Parties Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al. Inactive Case Close

Case Close D-307-CV-2021-01707

Date: 08/09/2021 Time: 4:46 PM

☒ Today and Future Hearings

☐ Cancel ☐ Delete

Hearing Type: []

Hearing Reason: Vacated

Setting Reason: Vacated

Comment: []

☐ Open Warrants

Status: []

Location: []

Comment: []

☐ Add Statistical Closure

Statistical Closure: []

Comment: []

☐ Add Events

Events: []

☐ Open Bonds

Bond Type: []

Status: []

Location: []

Comment: []

30 Save Exit

31. Click on Judgment.

D-307-CV-2021-01707 - [Case Manager] OdyTest (jidabaca)

File View Tools Centers Create Task Help

D-307-CV-2021-01707 Forms Save/Copy Save

Summary Detail Parties Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al. Inactive Case Close

Type Real Estate

Statistical Closure

08/09/2021 Judgment / Default

Case Status

08/09/2021 Final Closed

Disposition Detail

31 Judgment

No Disposition information exists for this case.
Select the Judgment hyperlink to add a Judgment.

32. Move cursor to the District Court Civil Judgment Component. Right click on mouse to get the option to Delete Component. Click to delete Civil Judgment Component.

The screenshot shows the 'Add Judgment' form for case D-307-CV-2021-01707. The form includes tabs for Summary, Detail, Parties, Events, Service, Hearings, and Conditions. The case title is 'Out of this World Mortgage Services v. Richard Branson, et. al.' and the type is 'Real Estate'. The 'Add Judgment' section has fields for Type, Date (08/09/2021), Judge (Beyer, Marci), and a checkbox for 'Does not affect aging clock'. Below this is a 'Details (1 of 1)' section with a 'Causes' dropdown set to 'Foreclosure'. A 'Comment' section with an 'ABC' icon is also present. The 'District Civil Judgment' section is highlighted in yellow and contains fields for Payor, Amount, Fees, Other, Total, and Post Judgment. A blue circle with the number 32 and an arrow points to the 'Delete Component' button located next to the 'Payor' field.

33. Left click on the Add button

This screenshot shows the same 'Add Judgment' form as the previous one, but with the 'Add' button highlighted in orange. A blue circle with the number 33 and an arrow points to this button. The 'Add' button is located at the bottom of the 'Judgment' section, next to a text input field. A tooltip message 'Click to add another judgment component.' is visible next to the button. The 'Save' and 'Exit' buttons are at the bottom of the form.

34. Select the Foreclosure Component.

35. Continue.

The screenshot shows a web application interface for adding judgment components. The main window is titled 'Add Judgment'. Inside, there is a sub-window 'Select Judgment Components'. At the top of this sub-window, there are input fields for 'Description' and 'Code', a checkbox for 'Show Selected Codes Only', and a 'Sort' dropdown menu set to 'Description'. Below these is a table with two columns: 'Description' and 'Code'. The table contains four rows:

	Description	Code
1.	☐ Comment	CMT
2.	☒ Foreclosure	FORE
3.	☐ NM District Civil	NMDISCIVIL
4.	☐ NM Property	NMPROPERTY

At the bottom of the sub-window, there are buttons for 'Get All Codes', 'Select All', and a status indicator '4 Results - Page 1 of 1'. Below the sub-window, there are navigation buttons: '<<Back', 'Next>>', 'Search', 'Continue', and 'Exit'. At the very bottom of the main window, there are 'Save' and 'Exit' buttons. Blue arrows with numbers '34' and '35' are overlaid on the image. Arrow '34' points to the 'Foreclosure' checkbox in the table. Arrow '35' points to the 'Continue' button at the bottom of the sub-window.

36. Select the appropriate Cause(s) of Action.

- Our example is a simple case. If there are multiple claims, you may have to enter multiple judgments until the case is fully resolved. Add judgment components accordingly.

37. In the comment section add other useful information.

- An example of this could be whether the judgment is In Rem or In Personam
- Other useful information could be who the Special Master is, if one has been appointed.

38. Add the final judgment amount and interest rate.

- Most final Orders provide the final judgment total, others may break down costs without a final total. The clerk should add all costs to obtain the final judgment total.

39. Save.

D-307-CV-2021-01707 Forms Save/Copy Save

Summary Detail Parties Events Service Hearings Conditions

Out of this World Mortgage Services v. Richard Branson, et. al. Inactive Case Close

Type Real Estate

Modify Judgment

Type **Default Judgment Entered** Judge **Beyer, Marci**

Date **08/09/2021** Stops case aging clock

Details (1 of 1)

Causes ☒ Foreclosure 36

Comment

Comment 37

Foreclosure Print Forms

☐ Plaintiff needs to be in attendance

Amount 38

Interest Rate %

Judgment Add 39

Save Exit