

**Opinion No. 32-433**

April 12, 1932

**BY:** E. K. Neumann, Attorney General

**TO:** Mr. R. R. Posey, Attorney at Law, Las Cruces, New Mexico.

{\*154} This is in reply to your letter of April 8, 1932, in which you wish to know if, in our opinion, the City Council may designate some person other than a Justice of the Peace as a Police Judge.

In so far as I have been able to determine the only power granted to them to designate anyone as a Police Judge is found in Section 90-910 of the 1929 Code, which gives them the power to designate one Justice of the Peace, who shall have such jurisdiction exclusively.

Since there is no other statute granting them the power to designate Police Judges, it is my opinion that such power is limited by the above statute, and that they cannot designate anyone other than a Justice of the Peace as Police Judge.

By: Quincy D. Adams,

Asst. Attorney General