

**9-803. Waiver of extradition.**  
[Section 31-4-22 NMSA 1978]

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ COURT

No. \_\_\_\_\_

STATE OF NEW MEXICO

v.

\_\_\_\_\_, Defendant

**WAIVER OF EXTRADITION**

I, \_\_\_\_\_, in open court do hereby freely and voluntarily state that I am the identical \_\_\_\_\_, against whom a criminal proceeding charging me with \_\_\_\_\_ has been initiated in the county of \_\_\_\_\_, State of \_\_\_\_\_, and I further hereby freely, voluntarily without threats or promises of reward agree to return to that county and state, without legal process.

I further acknowledge that I will be held without bond while awaiting the agent of the state of \_\_\_\_\_ to take me into custody.

I further acknowledge that I have been informed of my rights to legal counsel, to require the issuance and service of a warrant of extradition as provided in Section 31-4-22 NMSA 1978 and my right to contest said warrant of extradition through a writ of habeas corpus as provided in Section 31-4-10 NMSA 1978.

This waiver is not an admission of guilt. I agree to return to the state of \_\_\_\_\_, with any peace officer who may be sent to take me to that state for trial.

This statement and waiver (*made in quadruplicate*), done at \_\_\_\_\_, \_\_\_\_\_ County, New Mexico, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the presence of a judge of the \_\_\_\_\_ Court of that county.

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Assistant District Attorney

I hereby certify that the foregoing was executed in my presence and that I informed the defendant of his rights to require the issuance and service of a warrant of extradition as provided by the laws of New Mexico, and his right to contest said warrant of extradition through a writ of habeas corpus. I do hereby direct the officer having such

person in custody to deliver forthwith such person to the duly accredited agent of the demanding state, together with a copy of this waiver, and that the original hereof shall forthwith be forwarded to the office of the governor of the State of New Mexico for filing.

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Judge

Original - Governor  
2nd & 3rd - Agent  
4th - File