

9-805. Fugitive complaint.

[For use with Magistrate Court Rule 6-810 NMRA and Metropolitan Court Rule 7-810 NMRA]

STATE OF NEW MEXICO
COUNTY OF _____
_____ COURT

No. _____

STATE OF NEW MEXICO

v.

_____, Defendant

FUGITIVE COMPLAINT

The State of New Mexico alleges that the above-named defendant is subject to extradition from this state to the State of _____.
(check applicable alternative)

The defendant is charged in the State of _____ with the crime of _____.

The defendant has been convicted in the above state of the crime of _____ and has

- escaped from confinement.
- violated terms of release or bail.
- violated terms of probation.
- violated terms of parole.

The reason I believe that the defendant is the person identified in the fugitive warrant is:

(check all that apply)

- a copy of an NCIC message, teletype, warrant, indictment, information, affidavit, judgment of conviction or sentence so indicating is attached.
- the mode of transportation of the defendant.
- the physical description of the defendant.
- the date of birth of the defendant.
- the name of the defendant.
- Other:

(set forth other aspects showing that the defendant is the person sought in the other state)

The crime with which the defendant was charged or convicted is punishable in the above state by death or by imprisonment of more than one year.

The defendant was arrested on _____, _____, at _____ (a.m.) (p.m.) and is confined in the _____ (county) (city) jail.

I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THIS FUGITIVE

COMPLAINT IS TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A FUGITIVE COMPLAINT.

_____, _____
Date

Officer's signature

Title

USE NOTES

This form may be used only if the defendant is charged with a felony. If the defendant is charged with a misdemeanor a complaint and arrest warrant must be used.

[Adopted, effective October 1, 1996.]