

9-214. Search warrant.

[For use with District Court Rule 5-211 NMRA,
Magistrate Court Rule 6-208 NMRA,
Metropolitan Court Rule 7-208 NMRA and
Municipal Court Rule 8-207 NMRA]

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
_____ COURT

No. _____

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v

_____, Defendant

SEARCH WARRANT

THE [STATE OF NEW MEXICO] [CITY OF _____]
TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

Proof by Affidavit for Search Warrant, having been submitted to me, I am satisfied that there is probable cause that the person named or property described in the Affidavit is located where alleged in the Affidavit and I find that grounds exist for the issuance of the Search Warrant. A copy of the Affidavit is attached and made a part of this Warrant.

YOU ARE HEREBY COMMANDED to search forthwith the person or place described in the Affidavit between the hours of 6:00 a.m. and 10:00 p.m., unless I have specifically authorized a nighttime search, for the person or property described in the Affidavit, serving this Warrant together with a copy of the Affidavit, and making the search and if the person or property be found there, to seize the person or the property and hold for safekeeping until further order of the court.

You are further directed to prepare a written inventory of any person or property seized. You are further directed to file the return and written inventory with the Court promptly after its execution.

Dated this _____ day of _____, _____.

Judge

AUTHORIZATION FOR NIGHTTIME SEARCH

I further find that reasonable cause has been shown for nighttime execution of

this Warrant. I authorize execution of this Warrant at any time of the day or night for the following reasons: _____ (set forth reasons why a nighttime search is necessary)

Judge

RETURN AND INVENTORY

I received the attached Search Warrant on _____, _____, and executed it on _____, _____, at _____ o'clock [a.m.] [p.m.]. I searched the person or premises described in the Warrant and I left a copy of the Warrant with _____

(name the person searched or owner at the place of search) together with a copy of the inventory for the items seized.

The following is an inventory of property taken pursuant to the warrant:

(attach separate inventory if necessary)

This inventory was made in the presence of _____ (name of applicant for the search warrant) and

(name of owner of premises or property. If not available, name of other credible person witnessing the inventory.)

This inventory is a true and detailed account of all the property taken pursuant to the Warrant.

Signature of Officer

Signature of Owner of Property or Other Witness

Return made this _____ day of _____, _____, at _____ [a.m.] [p.m.].

(Judge) (Clerk)

After careful search, I could not find at the place, or on the person described, the property described in this warrant.

Officer

Date