

**9-209. Affidavit for arrest warrant.**

[For use with District Court Rule 5-208 NMRA,  
Magistrate Court Rule 6-204 NMRA,  
Metropolitan Court Rule 7-204 NMRA and  
Municipal Court Rule 8-203 NMRA]

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
\_\_\_\_\_ COURT

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

[STATE OF NEW MEXICO]  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]

v.

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

**AFFIDAVIT FOR ARREST WARRANT**

The undersigned, being duly sworn, on his oath, states that he has reason to believe that on or about the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the (*County*) (*City*) of \_\_\_\_\_, State of New Mexico, the above-named defendant(s) did commit the crime of: \_\_\_\_\_

\_\_\_\_\_, (*state common name of offense or offenses*) contrary to law of the State of New Mexico.

The undersigned further states the following facts on oath to establish probable cause to believe that the above-named defendant(s) committed the crime charged:

\_\_\_\_\_ (*include facts in support of the credibility of any hearsay relied upon*)

\_\_\_\_\_  
(*print/type*) Affiant's Name

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Official Title (*if any*)

\_\_\_\_\_  
Judge, Magistrate, Notary or other  
Officer Authorized to Administer Oaths



Subscribed and sworn to  
before me in the above-named  
(county) (city) of the State  
of New Mexico this \_\_\_\_\_  
day of \_\_\_\_\_, \_\_\_\_\_.

*NOTE: Article II, Section 10 of the New Mexico Constitution provides that an Arrest Warrant may issue on a sworn written statement of facts showing probable cause. This Affidavit is to be used only when the Complaint does not set forth sufficient facts to establish probable cause.*