

9-511. Waiver of six month trial rule.

[For use with Magistrate Court Rule 6-506 NMRA and Municipal Court Rule 8-506 NMRA.]

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

No. _____

[STATE OF NEW MEXICO]
[CITY OF _____]

v.

WAIVER OF SIX MONTH TRIAL RULE

I understand that I have a right to have the trial in this case begin within one hundred eighty-two (182) days after my arraignment. I understand my signature on this form means I give up my right to have the charges in this case dismissed with prejudice if the trial does not begin within one hundred eighty-two (182) days after my arraignment, as by provided by rule.

I further understand that I am not giving up any right to a speedy trial under either the United States or New Mexico constitutions.

After reading and understanding all of the above, and consulting with counsel, I knowingly and voluntarily give up my right to have the trial in this case begin within the time limits provided by court rule.

Signature of defendant

CERTIFICATE OF DEFENSE COUNSEL

(To be completed if the defendant is represented by counsel)

I have explained to the defendant the right to trial within one-hundred eighty two (182) days and that this right may be waived by the defendant and I am satisfied that the defendant understands the waiver of the right to trial within the time provided by court rule.

Defense counsel

Date

APPROVAL OF JUDGE

Permission to waive trial within the time limits provided by court rule is:

granted under the following conditions _____ (*list any conditions*).

denied.

Judge

Date

USE NOTES

This form is to be used when the defendant wishes to permanently waive rights under Rule 6-506 NMRA or Rule 8-506 NMRA.

[Approved by Supreme Court Order No. 07-8300-033, effective November 15, 2007.]