

**9-103A. Notice of excusal.**

[For use with Magistrate Court Rule 6-106 NMRA]

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

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

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

v.

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

**NOTICE OF EXCUSAL<sup>1</sup>**

The undersigned hereby notifies the court that the Honorable \_\_\_\_\_  
is excused from presiding over the above-captioned case.  
Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Party or attorney for the party

**OPTIONAL STIPULATION**

By our signatures below we stipulate that the Honorable \_\_\_\_\_ be  
assigned to preside over the above captioned case.  
Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Party or attorney for the party

Dated this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Party or attorney for the party

**USE NOTES**

1. The parties must stipulate to a statutorily authorized judge.
2. If the parties agree to request a different judge, the court must be informed of the agreement when the notice of excusal is filed. See Rule 6-105 NMRA.

3. Each party must be served with a copy of this notice. See Rule 6-209 NMRA. See Criminal Form 9-221 NMRA for the certificate of service and affidavit of service.

[Approved by Supreme Court Order 07-8300-34, effective January 22, 2008.]