

**9-211. Affidavit for bench warrant.**

[For use with District Court Rule 5-209 NMRA,  
Magistrate Court Rule 6-207 NMRA,  
Metropolitan Court Rule 7-207 NMRA and  
Municipal Court Rule 8-206 NMRA]

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

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

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

v.

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

**AFFIDAVIT FOR BENCH 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 person:

(check appropriate box or boxes)

- failed to appear at the time and place ordered by this court
- failed to appear as required by a subpoena issued by this court
- failed to appear in accordance with the conditions of release imposed by this court
- should appear for review of conditions of release previously imposed
- failed to pay fines or costs previously imposed
- failed to comply with conditions of probation
- \_\_\_\_\_ (describe contempt)

The undersigned further states the following facts on oath to establish probable cause to believe that the above-named person:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(set forth facts in support of affidavit including any hearsay relied upon)

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

\_\_\_\_\_  
Signature of affiant

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

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

\_\_\_\_\_  
Judge, Notary or Other Officer  
Authorized to Administer Oaths

*NOTE: This form is needed only if the judge does not have personal knowledge of the failure to appear or do the thing ordered.*  
[As amended, effective January 1, 1996.]