

**9-104B. Appearance, plea, and waiver.**

[For use with Magistrate Court Rule 6-503 NMRA,  
Metropolitan Court Rule 7-503 NMRA and  
Municipal Court Rule 8-503 NMRA]

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

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

v.

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

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

**APPEARANCE, PLEA, AND WAIVER**

I acknowledge that I have been charged with a violation(s) of the following traffic offense(s) with maximum fines as follows:

*(List offenses and maximum fines.)*

\_\_\_\_\_  
—  
\_\_\_\_\_  
—  
\_\_\_\_\_  
—  
\_\_\_\_\_  
—  
\_\_\_\_\_

I further confirm that I have received a copy of the complaint or citation(s), and I have read and understand the crime(s) charged.

I have been informed of my rights, as follows:

1. The right to personally appear before the court at every stage of these proceedings;

2. The right to a trial before the judge;

3. The right to present witnesses on my behalf and to confront and cross-examine witnesses;

4. The right to remain silent and that any statement made by me may be used against me;

5. The right to hire a lawyer.

I further understand that there is a penalty, as reflected above, provided by law

for the offense or offenses for which I am charged. In addition, I must pay court fees of \$ \_\_\_\_\_. I understand I may also have points assessed against my driver's license.

If I plead guilty or no contest, I will be required to pay the fine and fees as set by state law or local rule. If I plead not guilty, a trial will be set for a later date. If I plead not guilty, the Judge is not allowed to discuss the case until the time of the hearing or trial.

I understand that if I plead guilty or no contest, I may discharge my obligations to the court in this matter by returning this signed document and remitting \$ \_\_\_\_\_ payable to the \_\_\_\_\_ court.

After reading and understanding the above, I hereby give up my right to personally appear before the \_\_\_\_\_ court for an arraignment, and voluntarily enter my plea of:

Not Guilty to one or more charges (Trial will be set.)

Guilty to all charges

No Contest to all charges (*A plea of No Contest means that you neither admit nor deny the charge or charges, but that you are not contesting the charge or charges and do not want a trial.*)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant signature

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Social Security No.

\_\_\_\_\_  
Name (*print*)

\_\_\_\_\_  
Mailing Address (*print*)

\_\_\_\_\_  
Physical Address (*print*)

\_\_\_\_\_  
City, State and Zip Code (*print*)

\_\_\_\_\_  
City, State and Zip Code (*print*)

\_\_\_\_\_  
Daytime Phone

\_\_\_\_\_  
Cell Phone

**RETURN BY \_\_\_\_\_ TO:**

*(Insert court name and address.)*

[Approved, effective May 15, 2001; as amended by Supreme Court Order No. 11-8300-051, effective for cases filed on or after January 31, 2012.]