

Opinion No. 55-6305

October 26, 1955

BY: RICHARD H. ROBINSON, Attorney General

TO: Wendell Chino, President, Mescalero Apache Tribe, Mescalero, New Mexico

We have your letter of October 18, 1955, in which you requested an opinion from this office as to whether your tribal peace officers can be appointed deputy sheriffs in the State of New Mexico.

It is the opinion of this office that there is no prohibition to such appointment so long as your tribal peace officer can secure such appointment from the sheriff of the county. Of course the tribal peace officer would have to be otherwise qualified, as set forth in Sections 15-40-10, 39-1-9 and 15-40-12, N.M.S.A., 1953, and any other statutes of the State of New Mexico pertaining to the qualifications of deputy sheriffs.

Trusting we have answered your question, we remain

By Paul L. Billhymer

Assistant Attorney General