**9-803. Waiver of extradition.**

[Section 31-4-22 NMSA 1978]

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

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

STATE OF NEW MEXICO

v.

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

**WAIVER OF EXTRADITION**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in open court do hereby freely and voluntarily state that I am the identical \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, against whom a criminal proceeding charging me with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has been initiated in the county of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and I further hereby freely, voluntarily without threats or promises of reward agree to return to that county and state, without legal process.

I further acknowledge that I will be held without bond while awaiting the agent of the state of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to take me into custody.

I further acknowledge that I have been informed of my rights to legal counsel, to require the issuance and service of a warrant of extradition as provided in Section 31-4-22 NMSA 1978 and my right to contest said warrant of extradition through a writ of habeas corpus as provided in Section 31-4-10 NMSA 1978.

This waiver is not an admission of guilt. I agree to return to the state of \_\_\_\_\_\_\_\_\_\_\_\_\_, with any peace officer who may be sent to take me to that state for trial.

This statement and waiver (*made in quadruplicate*), done at \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ County, New Mexico, this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_, in the presence of a judge of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court of that county.

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

Attorney for Defendant Defendant

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

Assistant District Attorney

I hereby certify that the foregoing was executed in my presence and that I informed the defendant of his rights to require the issuance and service of a warrant of extradition as provided by the laws of New Mexico, and his right to contest said warrant of extradition through a writ of habeas corpus. I do hereby direct the officer having such person in custody to deliver forthwith such person to the duly accredited agent of the demanding state, together with a copy of this waiver, and that the original hereof shall forthwith be forwarded to the office of the governor of the State of New Mexico for filing.

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

Judge

Original - Governor

2nd & 3rd - Agent

4th - File