**4A-202. Motion for temporary order (domestic relations actions).**

[For use with Rules 1-121 and 1-122 NMRA]

STATE OF NEW MEXICO

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Petitioner,

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Respondent.

**MOTION FOR TEMPORARY ORDER**

**(*domestic relations actions*)1**

 I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of Petitioner or Respondent*) request the court to enter the following temporary order(s): (*check all that apply*)

(1) [ ] temporary domestic order;2

(2) [ ] temporary division of property;

(3) [ ] temporary division of income and debts;

(4) [ ] temporary custody of minor children;

(5) [ ] temporary order establishing timesharing or visitation;

(6) [ ] temporary child support and request for wage withholding;

(7) [ ] temporary allocation of community resources to permit both parties to hire an attorney;

(8) [ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (other).

 I have tried to talk to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of the other party or the other party’s attorney if represented*). This is what happened: *(You MUST check one of these boxes.*)

 [ ] The other party AGREES with my motion.

 [ ] The other party DOES NOT AGREE with my motion.

 [ ] The other party WILL NOT TALK TO ME about my motion.

 [ ] I CANNOT TALK TO THE OTHER PARTY because there is a protective order between us and the other party does not have a lawyer.

 [ ] I HAVE NOT TALKED TO THE OTHER PARTY because:

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

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

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

 Signature of party

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

 Name (*print*)

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

 Mailing address (*print*)

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

 City, state, and zip code (*print*)

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

 Telephone number

**VERIFICATION OF SERVICE**

 I affirm under penalty of perjury under the laws of the State of New Mexico that on \_\_\_\_\_\_\_\_\_\_\_\_\_ (*date*), I (*check the applicable item below and fill in all information*)

[ ] mailed a copy of this motion by United States mail, postage prepaid, to:

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mailing address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 City, state, and zip code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ] delivered a copy of this motion to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*the other party or the other party’s attorney*); or

[ ] faxed a copy of this motion to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*the other party or the other party’s attorney*) using the following fax number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.The transmission was reported as complete and without error. The time and date of the transmission was \_\_\_\_\_\_\_ (a.m.) (p.m.) on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*date*).

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

 Signature of party

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

 Date of signature

USE NOTES

1. *See* Committee Commentary to Rule 1-120 NMRA for what constitutes a domestic relations action.

2. *See* Rule 1-121 NMRA and Form 4A-201 NMRA for the Supreme Court approved Temporary Domestic Order.

[Approved, effective November 1, 2000 until November 1, 2001; approved, effective November 1, 2001; 4A-111 recompiled and amended as 4A-202 by Supreme Court Order No. 13-8300-010, effective for all pleadings and papers filed on or after May 31, 2013, in all cases pending or filed on or after May 31, 2013; as amended by Supreme Court Order No. 14-8300-011, effective for all pleadings and papers filed on or after December 31, 2014, in all cases filed or pending on or after December 31, 2014.]