**4-101. Notice of [excusal] facts requiring recusal (constitution or code of conduct).**

[For use with Magistrate Court Rule 2-106 and

Metropolitan Court Rule 3-106]

STATE OF NEW MEXICO

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

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Plaintiff

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

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

**NOTICE OF [EXCUSAL] FACTS REQUIRING RECUSAL**

**(CONSTITUTION OR CODE OF CONDUCT)**

 The undersigned believes that the impartiality of the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ may reasonably be questioned because: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*set forth specific facts which prohibit the judge from presiding. The facts must be grounds for excusal under the New Mexico Constitution or the Code of Judicial Conduct*.)

 The undersigned believes that participation of the above-named judge would be in violation of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the Code of Judicial Conduct.

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

 Signature of party

USE NOTES

 Each party must be served with a copy of this notice. *See* Rules 2-203 and 3-303 NMRA. *See* Civil Form 4-221 for the certificate of service and affidavit of service.

[As amended, effective May 1, 1986; November 1, 1995; May 1, 2002.]