9-412B. Motion to sanction for non-compliance.
[For use with Magistrate Court Rule 6-504 NMRA
and Municipal Court Rule 8-504 NMRA]

STATE OF NEW MEXICO
[COUNTY OF _____]
_____ COURT

No. _____

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

_____, Defendant

MOTION TO SANCTION FOR NON-COMPLIANCE

I certify that the [defendant] [prosecution] failed to comply with this court's pretrial scheduling order in a timely manner as follows:

_____
_
_____.

A motion to compel was filed on _____ (*date*) with the following results:

_____
_
(*describe results*).

Because of the failure to comply the [defendant] [prosecution] requests the court to:
[ ]   order the party to provide discovery as requested
[ ]   grant a continuance until _____ (*date*) to allow for the
        completion of discovery
[ ]   prohibit introduction into evidence of the material not disclosed
[ ]   enter an order holding _____ (*attorney or party*) in contempt
of court
[ ]   _____ (*other*).

I acknowledge that the filing of this certificate does not diminish my continuing duty to fully comply with the pretrial scheduling order.

Date: _____

_____
[Prosecutor] [Defendant]