**9-212B. Juvenile traffic bench warrant.**

[For use with Magistrate Court Rule 6-207 NMRA,

Metropolitan Court Rule 7-207 NMRA and

Municipal Court Rule 8-206 NMRA]

STATE OF NEW MEXICO

[COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

[CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

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

[STATE OF NEW MEXICO]

[COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

[CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

v.

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

DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

S.S.# \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**JUVENILE TRAFFIC BENCH WARRANT1**

(*check applicable box*)

[ ] **RESTRICTION ON WARRANT.2 The defendant is a juvenile. Arrest the defendant only during court hours after confirming a judge is available for immediate appearance. Do not incarcerate this defendant.**

[ ] **UNRESTRICTED WARRANT.3 A children's court judge has approved the arrest and incarceration of this juvenile.**

THE (STATE OF NEW MEXICO) (MUNICIPALITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

YOU ARE COMMANDED to arrest the above-named defendant and bring the defendant before this court to answer the following charges checked below unless released as indicated in the return:

(*check applicable box and describe facts below*)

[ ] failure to appear as ordered by this court on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ] failure to appear as required by a subpoena issued by this court for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ] failure to appear in accordance with the conditions of release imposed by this court for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ] conditions of release previously imposed should be revoked or reviewed;

[ ] contempt of court for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] failure to pay fines or costs previously imposed by order entered \_\_\_\_\_\_\_\_\_\_\_\_\_ (*date*);

[ ] failure to comply with conditions of probation as set forth in an order entered \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*date*);

[ ] failure to appear at first offender program on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ] other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (*set forth any additional essential facts underlying issuance of this warrant.*)

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

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

(*check and complete, if applicable*)

[ ] The defendant failed to appear either on a traffic citation (*other than a citation issued for a violation listed in Section 66-8-122 or 66-8-125 NMSA 1978*) or a citation issued by an official authorized by law and may be released on a plea of guilty and payment of $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ plus a $100 bench warrant fee4;

OR

[ ] The defendant failed to pay fines and costs and defendant may be released upon payment of the outstanding fine and court costs in the amount of $ \_\_\_\_\_\_\_\_\_\_\_ plus a $100 bench warrant fee4;

OR

[ ] The defendant may be released on bond in the amount of $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The bench warrant fee will be collected upon appearance.

**THIS WARRANT MAY BE EXECUTED:**

 [ ] in any jurisdiction;

 [ ] anywhere in this state;

 [ ] anywhere in this county;

 [ ] anywhere in this city.

The clerk of this court shall cause this warrant to be entered into a law enforcement information system5:

 [ ] maintained by the state police.

 [ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*identify other law enforcement information system*).

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

Date Judge

**RETURN**

The defendant was arrested and taken into custody on the \_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_.

[ ] The defendant was released on bond in the amount set forth above;

[ ] The defendant was released upon receipt of the fine and court costs set forth above.

I have caused this warrant to be removed from the law enforcement information system identified in this warrant.

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

 Signature

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

 Title

USE NOTES

 1. This form may be used in municipal, magistrate or metropolitan court traffic cases.

 2. Check this alternative unless a children's court judge has authorized the incarceration of the juvenile. *See* Section 32A-2-29 NMSA 1978 for the procedure to be followed when a child is to be incarcerated.

 3. Check this alternative if a children's court judge has authorized that the juvenile be arrested and incarcerated pursuant to Section 32A-2-29 NMSA 1978.

 4. A $100 bench warrant fee is assessed in the metropolitan court pursuant to Section 34-8A-12 NMSA 1978 and in the magistrate court pursuant to Section 35-6-5 NMSA 1978.

 5. All metropolitan court and magistrate court felony, misdemeanor and driving while under the influence of intoxicating liquor or drugs warrants must be entered into a law enforcement information system.

[Approved, effective March 1, 2000.]