

**10-725. Search warrant.**

[For use with Rule 10-215 NMRA]

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT  
IN THE CHILDREN'S COURT

In the Matter of \_\_\_\_\_, a Child.

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

**SEARCH WARRANT<sup>1</sup>**

THE STATE OF NEW MEXICO TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

Proof by Affidavit for Search Warrant, having been submitted to me I am satisfied that there is probable cause that the person named or the property described in the affidavit is located where alleged in the affidavit and I find that grounds exist for the issuance of the search warrant. A copy of the affidavit is attached and made part of this warrant.

YOU ARE HEREBY COMMANDED to search forthwith the person or place described in the affidavit between the hours of 6:00 a.m. and 10:00 p.m., unless I have specifically authorized a night time search, for the person or property described in the affidavit, serving this warrant together with a copy of the affidavit and if the person or property be found there, to seize the person or the property and hold for safekeeping until further order of the court.

You are further directed to prepare a written inventory of any person or property seized. You are further directed to file the return and written inventory with the court promptly after its execution.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
District Judge

**AUTHORIZATION FOR NIGHT TIME SEARCH**

I further find that reasonable cause has been shown for night time execution of this warrant. I authorize execution of this warrant at any time of the day or night for the following reasons:

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

*(describe the reasons why a night time search is necessary).*

\_\_\_\_\_  
District Judge

## RETURN AND INVENTORY

I received the attached Search Warrant on \_\_\_\_\_, \_\_\_\_\_, and executed it on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock [a.m.] [p.m.]. I searched the person or premises described in the warrant and I left a copy of the warrant with \_\_\_\_\_ (*name the person searched or owner at the place of search*) together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the Warrant: \_\_\_\_\_

\_\_\_\_\_  
(*attach separate inventory if necessary*).

This inventory was made in the presence of \_\_\_\_\_  
(*name of person executing the search warrant*) and \_\_\_\_\_  
(*name of owner of premises or property. If not available, name of other credible person witnessing the inventory*).

This inventory is a true and detailed account of all the property taken by me on the warrant.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Signature of owner of property or other witness

Return made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  
[a.m.] [p.m.]

\_\_\_\_\_  
[Judge] [Clerk]

After careful search, I could not find at the place, or on the person described, the property described in the Warrant.

\_\_\_\_\_  
Officer

\_\_\_\_\_  
Date

### USE NOTES

1. Either this form or the form approved for search warrants in adult criminal proceedings may be used in the children's court.  
[As amended by Supreme Court Order No. 11-8300-044, effective January 16, 2012; 10-412 recompiled and amended as 10-725 by Supreme Court Order No. 16-8300-017, effective for all cases pending or filed on or after December 31, 2016.]