**9-101. Notice of [excusal] facts requiring recusal (*constitution or code of conduct*).**

[For use with District Court Rule 5-106 NMRA,

Magistrate Court Rule 6-106 NMRA,

Metropolitan Court Rule 7-106 NMRA and

Municipal Court Rule 8-106 NMRA]

STATE OF NEW MEXICO

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

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

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

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

[STATE OF NEW MEXICO]

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

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

 v.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 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 6-209, 7-209 and 8-208 NMRA. *See* Criminal Form 9-221 for the certificate of service and affidavit of service.

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