

13-215. Request for Admission.

A request for admission is a written statement of [fact] [opinion of fact] [or] [the application of law to fact] asked by one party to another party using pretrial requests. You are to consider any such admitted statement as conclusively established for the purpose of the trial. The following have been admitted as true:

_____ (name of party) admits that:

(list admitted statements of fact(s), opinion of fact(s), or the application(s) of the law to fact(s)).

USE NOTES

This instruction should be used when an admission to a request is offered at trial, and may be repeated at the close of the case. See Rule 1-036 NMRA. The purpose of such a request is to seek an admission of fact, opinion of fact, or an application of law to fact to narrow the disputed issues at trial and to avoid the need for admitting further evidence on that issue. In an appropriate case, counsel may decide to formally offer the admission(s) into evidence. This instruction should be read when the admission is first presented to the jury.

[Adopted by Supreme Court Order No. 21-8300-016, effective for all cases pending or filed on or after December 31, 2021.]