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IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

Opinion Number:

Filing Date: June 26, 2025

NO. S-1-SC-40017

STATE OF NEW MEXICO,

Plaintiff-Respondent,

v.

GERALD CHAVEZ,

Defendant-Petitioner.

ORIGINAL PROCEEDING ON CERTIORARI

Cindy Leos, District Judge

Bennett J. Baur, Chief Public Defender
Kimberly Chavez Cook, Appellate Defender
MJ Edge, Assistant Appellate Defender
Santa Fe, NM

for Petitioner

Raúl Torrez, Attorney General
Meryl E. Francolini, Assistant Solicitor General
Santa Fe, NM

for Respondent

1 **OPINION**

2 **VIGIL, Justice.**

3 **I. INTRODUCTION**

4 {1} The Rules of Criminal Procedure authorize our district courts, magistrate
5 courts, and metropolitan courts to issue warrants permitting the search and seizure
6 of criminal evidence. Rule 5-211(A) NMRA (district courts); Rule 6-208(A) NMRA
7 (magistrate courts); Rule 7-208(A) NMRA (metropolitan courts). Here, we address
8 a question arising from this concurrent grant of authority: May a magistrate or
9 metropolitan court issue a search warrant after a criminal prosecution has formally
10 commenced in the district court? We answer: Yes, an inferior court may issue a
11 search warrant after the initiation of criminal proceedings in the district court, but
12 the district court has the authority to quash the warrant pursuant to its inherent power
13 to ensure the orderly and efficient administration of the case.

14 {2} In the current matter, the Bernalillo County Metropolitan Court (metro court)
15 issued two substantively identical search warrants in the same case after Defendant
16 Gerald Chavez had been indicted in the Second Judicial District Court, Bernalillo
17 County. Defendant argued that the warrants were invalid because the metro court
18 does not share concurrent jurisdiction once the proceeding is initiated in district
19 court. Defendant also argued that the affidavits supporting the warrants were

1 deceptive because they failed to disclose the pending criminal proceedings to the
2 metro court. The district court agreed, quashed the warrants, and suppressed the
3 evidence without prejudice to the State in seeking the same evidence through a
4 motion. The Court of Appeals reversed the district court's order, concluding that an
5 inferior court has the authority to issue a post-indictment search warrant and that the
6 omissions in the affidavits did not invalidate the warrants. *State v. Chavez*, 2023-
7 NMCA-071, ¶¶ 1, 48, 535 P.3d 736, *cert. granted* (S-1-SC-40017, Sept. 14, 2023).

8 {3} We conclude that the metro court had the authority to issue the search warrants
9 after Defendant had been indicted. The commencement of formal criminal
10 proceedings against a defendant does not divest our inferior courts of their authority
11 to issue a search warrant under Rule 6-208 or Rule 7-208. Nevertheless, we also
12 conclude that under the circumstances the two warrants were properly quashed by
13 the district court using its inherent power to control its docket and the proceedings
14 before it. *See State v. Candelaria*, 2008-NMCA-120, ¶ 14, 144 N.M. 797, 192 P.3d
15 792 (explaining that “[i]nherent judicial power” includes “the ability of a court to
16 control its docket and the proceedings before it” including “the power to supervise
17 and control the movement of all cases” (internal quotation marks and citations
18 omitted)). We, therefore, reverse the Court of Appeals, affirm the district court, and
19 remand this matter to the district court. We additionally ask our rules committees to

1 consider revisions to Rule 5-211, Rule 6-208, and Rule 7-208, and the search warrant
2 affidavit Form 9-213 NMRA in light of our opinion.

3 **II. BACKGROUND**

4 {4} Defendant was indicted in the district court on February 25, 2020, on several
5 felony and misdemeanor charges related to a civilian car chase involving gunfire. A
6 grand jury issued the indictment based on the testimony of the primary investigating
7 police officer, Officer A. Zambrano (Officer Zambrano). Shortly after the
8 proceedings commenced, Assistant District Attorney C. Wilson (ADA Wilson)
9 entered an appearance on behalf of the State. The district court subsequently entered
10 a scheduling order setting deadlines for discovery disclosures and trial.

11 **A. The First Warrant and Affidavit**

12 {5} On March 25, 2020, Officer Zambrano obtained a search warrant from a metro
13 court judge to obtain an oral swab and fingerprints from Defendant. The affidavit
14 supporting this warrant does not disclose that Defendant had been indicted on the
15 charges one month earlier in district court. The affidavit also identifies Defendant as
16 “SUSPECT.” The affidavit further certifies that it was “approved by” ADA Wilson.

17 {6} After learning of the warrant, Defendant filed a motion asking the district
18 court to quash the warrant. Defendant argued that the metro court could not issue the
19 search warrant because it did not share concurrent jurisdiction with the district court

1 once he had been indicted. Defendant also asserted that, by failing to inform the
2 metro court of the district court's proceedings, the State had omitted facts material
3 to the determination of probable cause and abridged its duty of candor to the tribunal.

4 {7} The State, through ADA Wilson, responded that the motion to quash was
5 moot, as the warrant had not been executed within ten days and thus had lapsed. *See*
6 Rule 7-208(C) (providing that "[a] search warrant shall be executed within ten (10)
7 days after the date of issuance"). The State also argued that no rule or precedent
8 prohibited the practice of obtaining a post-indictment search warrant and that Rule
9 5-211 was silent as to "the inclusion of any information regarding an active case."
10 The State further argued that the pendency of criminal proceedings is immaterial to
11 the determination of probable cause and suggested that the prosecutor's duty of
12 candor was inapposite because Officer Zambrano met with the metro court judge
13 "without the involvement of counsel for the State."

14 {8} The district court scheduled a hearing on Defendant's motion to quash for
15 April 16, 2020.

16 **B. The Second Warrant and Affidavit**

17 {9} On April 9, 2020, Officer Zambrano submitted a second affidavit for the same
18 evidence to a different judge at the metro court. This second affidavit similarly omits
19 the fact that Defendant had been indicted in the district court and fails to disclose

1 that the first warrant for the same evidence had issued, had lapsed, and was currently
2 the subject of a pending motion to quash. ADA Wilson similarly “approved” Officer
3 Zambrano’s second affidavit.

4 {10} The metro court issued the second warrant that same day, April 9, 2020. The
5 second warrant was executed and the desired evidence obtained on April 15, 2020,
6 the day before the district court’s hearing on Defendant’s motion to quash the first
7 warrant. Following the hearing, the motion to quash was taken “under advisement”
8 by the district court.

9 {11} Defendant filed an addendum to his motion on April 24, 2020, asking the
10 district court to quash the second warrant. Defendant repeated his jurisdictional
11 arguments and suggested that the affidavit supporting the second warrant “was
12 lacking all information required for an informed decision to be made.” The State
13 responded that it was permitted to obtain this evidence through a search warrant and
14 claimed that the process of obtaining a search warrant “does not involve counsel
15 except for the review of the underlying warrant for probable cause.”

16 **C. The District Court’s Decision**

17 {12} The district court granted Defendant’s motion, quashed the two warrants, and
18 suppressed the evidence. The district court concluded that the metro court lacked
19 jurisdiction to issue a search warrant after Defendant had been indicted. The district

1 court additionally decided that the State's actions of obtaining this evidence through
2 a search warrant violated Defendant's due process rights. The district court
3 explained that the "common practice" after an indictment was for the State to file a
4 motion for this evidence, a process that would have granted Defendant a right to a
5 hearing before the State collected an oral swab and fingerprints. The district court
6 further explained that the State's collection of an oral swab and fingerprints via a
7 search warrant instead of by a motion for body standards conflicted with the district
8 court's scheduling order and would delay the State's deadline for disclosing the
9 evidence by approximately nine months.

10 {13} The district court further found that the affidavits submitted to the metro court
11 were "deceptive" because the affidavits characterized Defendant as a "suspect" and
12 "left out material facts" regarding the pendency of the formal criminal proceedings.
13 In response to the State's motion for reconsideration, the district court clarified that
14 it was not finding that the State had omitted a fact material to the determination of
15 probable cause but that "[i]n this matter, clearly the issue is *not* materiality of the
16 issues to the finding of probable cause. The issue in this matter is whether the State
17 should be permitted to submit an affidavit for a warrant when the affidavit is
18 deceptive and violates Defendant's due process rights." The district court further
19 clarified that it was quashing the warrants and suppressing the evidence without

1 prejudice to the State in obtaining the same evidence in the future by filing a motion
2 with the district court. The State declined the district court's invitation to file a
3 motion to obtain the evidence, and appealed.

4 **D. The Proceedings on Appeal**

5 {14} The State appealed the district court's order pursuant to NMSA 1978, Section
6 39-3-3(B)(2) (1972) and Rule 12-201(A)(1)(a) NMRA. The Court of Appeals
7 reversed the district court. *Chavez*, 2023-NMCA-071, ¶¶ 1, 48. First, the Court of
8 Appeals held that the metro court neither lost jurisdiction nor was precluded from
9 issuing a search warrant after Defendant was indicted. *Id.* ¶¶ 21-25. Next, the Court
10 of Appeals disagreed that the search warrant violated Defendant's due process rights,
11 explaining that the process of obtaining a search warrant is governed by the Fourth
12 Amendment to the United States Constitution and Article II, Section 10 of the New
13 Mexico Constitution, both of which permit a warrant to be issued *ex parte* on a
14 showing of probable cause. *Id.* ¶¶ 35-37. Finally, the Court of Appeals decided that
15 the omissions in Officer Zambrano's second affidavit did not rise to the level of a
16 "deliberate falsehood or reckless disregard for the truth," *id.* ¶ 43, as to a fact material
17 to the determination of probable cause, so as to violate Defendant's constitutional
18 rights. *Id.* ¶¶ 42-46. The Court of Appeals thus held the district court erred. *Id.* ¶ 47.
19 The Court of Appeals did not reach the additional finding of the district court

1 regarding the conflict with the district court's scheduling order, saying that
2 Defendant's arguments about this finding were unclear. *Id.* ¶ 9 n.1.

3 {15} Defendant petitioned this Court for a writ of certiorari. *See* Rule 12-502
4 NMRA. We granted Defendant's petition and now reverse the Court of Appeals. We
5 agree with the Court of Appeals' analysis with respect to the jurisdictional and
6 constitutional questions involved. However, we reverse the Court of Appeals' result
7 based on the additional findings of the district court and the right for any reason
8 doctrine. We clarify that a district court has the power to quash a warrant issued by
9 an inferior court when the warrant interferes with the district court's inherent control
10 over the pending criminal proceedings. We additionally conclude that the district
11 court did not abuse its discretion in quashing the warrants under the circumstances
12 presented. We, therefore, affirm the district court in quashing the warrants and
13 suppressing the evidence, without prejudice to the State, in seeking Defendant's oral
14 swab and fingerprints through a motion in the district court.

15 **III. DISCUSSION**

16 **A. An Inferior Court May Issue a Post-Indictment Search Warrant**

17 {16} Defendant questions the authority of the metro court to issue a search warrant
18 after he had been indicted in the district court. The parties agree that this question
19 requires us to interpret our Rules of Criminal Procedure and statutory and

1 constitutional provisions addressing the authority of our district and inferior courts.
2 We review this question de novo. *Allen v. LeMaster*, 2012-NMSC-001, ¶ 11, 267
3 P.3d 806 (“The proper interpretation of our Rules of Criminal Procedure is a
4 question of law that we review de novo.”); *State v. Armijo*, 2016-NMSC-021, ¶ 19,
5 375 P.3d 415 (“We review issues of statutory and constitutional interpretation de
6 novo.” (internal quotation marks and citation omitted)).

7 {17} “When construing our procedural rules, we use the same rules of construction
8 applicable to interpretation of statutes. We first look to the language of the rule. If
9 the rule is unambiguous, we give effect to its language and refrain from further
10 interpretation. We also seek guidance from the rule’s language, history, and
11 background.” *Allen*, 2012-NMSC-001, ¶ 11 (internal quotation marks and citations
12 omitted).

13 {18} Rule 7-208 authorizes a metropolitan court to issue a search warrant on a
14 showing of probable cause. This rule provides, in relevant part,

15 A warrant may be issued by the court to search for and seize any (1)
16 property which has been obtained or is possessed in a manner which
17 constitutes a criminal offense; (2) property designed or intended for use
18 or which is or has been used as the means of committing a criminal
19 offense; (3) property which would be material evidence in a criminal
20 prosecution; or (4) person for whose arrest there is probable cause, or
21 who is unlawfully restrained. A warrant shall issue only on a sworn
22 written statement of the facts showing probable cause for issuing the
23 warrant.

1 Rule 7-208(A); *see also* Rule 6-208(A) (addressing issuance of a search warrant by
2 a magistrate court). This language is nearly identical to that provided in Rule 5-
3 211(A), addressing the authority of a district court to issue a search warrant. Nothing
4 in these rules suggest that an inferior court’s authority to issue a search warrant
5 lapses once a defendant is indicted in the district court.

6 {19} Although Defendant concedes that the rules are silent with respect to an
7 inferior court’s authority to issue a post-indictment search warrant, he nevertheless
8 argues that the rules must be interpreted harmoniously with the district court’s power
9 of supervisory control over the inferior courts. Defendant suggests that the
10 organization of our judicial system reveals that the metro court lost jurisdiction to
11 issue a search warrant based on the commencement of the district court’s
12 proceedings, and thus, the evidence collected through the second warrant was
13 properly suppressed. *Cf. State v. Railey*, 1975-NMCA-019, ¶ 10, 87 N.M. 275, 532
14 P.2d 204 (concluding that evidence obtained pursuant to a warrant issued by a tribal
15 court without authority to issue the warrant should be suppressed).

16 {20} Our district courts are courts of general jurisdiction with “original jurisdiction
17 in all matters and causes not excepted . . . and appellate jurisdiction of cases
18 originating in inferior courts and tribunals in their respective districts as provided by
19 law, and supervisory control over the same.” N.M. Const. art. VI, § 13. The district

1 courts possess exclusive jurisdiction over the trial of felony cases. *State v. Wyrostek*,
2 1994-NMSC-042, ¶ 8, 117 N.M. 514, 873 P.2d 260; *see also State v. McKinley*,
3 1949-NMSC-010, ¶ 15, 53 N.M. 106, 202 P.2d 964 (“The constitution vests sole and
4 exclusive jurisdiction for the trial of all felony cases in the district courts and the
5 legislature is powerless to deprive them of such jurisdiction.”). On the other hand,
6 our metropolitan and magistrate courts are courts of limited jurisdiction, N.M. Const.
7 art. VI, § 26, and their authority must be affirmatively granted by the Constitution
8 or by statute. *State v. Ramirez*, 1981-NMSC-125, ¶ 4, 97 N.M. 125, 637 P.2d 556;
9 *see also* NMSA 1978, § 35-3-4 (1985) (addressing jurisdiction of the magistrate
10 courts in criminal cases); NMSA 1978, § 34-8A-3 (2001) (addressing the jurisdiction
11 of the metropolitan courts, which includes the jurisdiction as provided by law for
12 magistrate courts). Further, any criminal proceedings pending in an inferior court
13 should be abandoned once a parallel criminal prosecution commences in a district
14 court. *State v. Muise*, 1985-NMCA-090, ¶¶ 18-19, 103 N.M. 382, 707 P.2d 1192;
15 *see also State v. Tanton*, 1975-NMSC-057, ¶ 18, 88 N.M. 333, 540 P.2d 813
16 (“[P]roceedings pending in an inferior court ought to be abated when charges are
17 instituted in district court in relation to the same episode.”); *accord State v. Valdez*,
18 1990-NMCA-018, ¶¶ 5-6, 109 N.M. 759, 790 P.2d 1040.

1 {21} Defendant suggests that the organization of our judicial system similarly
2 deprives an inferior court of jurisdiction to issue a search warrant after a defendant
3 is indicted in the district court. We disagree. In *United States v. Sadlowski*, 948 F.3d
4 1200, 1203 (10th Cir. 2020), the Court, reviewing the same metropolitan court rule
5 at issue here, emphasized that “a court’s authority to hear a case and a court’s
6 authority to issue a search warrant are two separate concepts.” While not binding,
7 we find the *Sadlowski* Court’s reasoning persuasive, as nothing in the rules divests
8 the inferior courts of their authority to issue a search warrant after the
9 commencement of formal criminal proceedings in the district court. Our Rules of
10 Criminal Procedure—Rule 5-211, Rule 6-208, and Rule 7-208—grant concurrent
11 authority to the district, metropolitan, and magistrate courts to issue these search
12 warrants. Absent any clear limitation in the rules to issue search warrants after the
13 commencement of proceedings in the district court, we will not read such a limitation
14 into Rule 6-208 or Rule 7-208. *State v. Trujillo*, 2009-NMSC-012, ¶ 11, 146 N.M.
15 14, 206 P.3d 125 (“We will not read into a statute any words that are not there,
16 particularly when the statute is complete and makes sense as written.” (citation
17 omitted)).

18 {22} Nor do we see any pragmatic reason to limit our inferior courts’ authority to
19 issue warrants after the initiation of formal criminal proceedings in the district court.

1 *Muise*, 1985-NMCA-090, ¶¶ 18-19 (concluding that inferior court proceedings
2 should be deemed abandoned after the commencement of district court proceedings
3 in furtherance of the policy against piecemeal litigation). The Fourth Amendment to
4 the United States Constitution and Article II, Section 10 of the New Mexico
5 Constitution permit a search warrant to be issued on a showing of probable cause.
6 *See State v. Evans*, 2009-NMSC-027, ¶ 11, 146 N.M. 319, 210 P.3d 216 (“[B]efore
7 a valid search warrant may issue, the affidavit must show: (1) that the items sought
8 to be seized are evidence of a crime; and (2) that the criminal evidence sought is
9 located at the place to be searched.” (internal quotation marks and citation omitted)).
10 Search warrants are typically issued *ex parte* based on an affidavit “normally drafted
11 by nonlawyers in the midst and haste of a criminal investigation.” *State v.*
12 *Williamson*, 2009-NMSC-039, ¶ 16, 146 N.M. 488, 212 P.3d 376 (internal quotation
13 marks and citation omitted); *cf. Gerstein v. Pugh*, 420 U.S. 103, 120 (1975)
14 (explaining that the determination of probable cause to arrest is not a critical stage
15 in the proceedings as probable cause “can be determined reliably without an
16 adversary hearing”). A criminal investigation may continue after a defendant has
17 been formally charged with a crime. *See, e.g., United States v. Anderson*, 739 F.2d
18 1254, 1255 (7th Cir. 1984) (affirming a search warrant to obtain hair samples issued
19 after indictment and before trial). Permitting investigators to apply to any court with

1 authority to issue a warrant, regardless of the initiation of any related criminal
2 prosecution, encourages our strong preference that searches be conducted pursuant
3 to a search warrant and promotes the timely collection of evidence. *Cf. State v.*
4 *Crane*, 2014-NMSC-026, ¶ 16, 329 P.3d 689 (explaining New Mexico’s “strong
5 preference for warrants” (internal quotation marks and citation omitted)); *State v.*
6 *Lovato*, 1994-NMCA-042, ¶¶ 10-11, 118 N.M. 155, 879 P.2d 787 (discussing
7 concerns of timeliness in the information supporting probable cause to search).

8 {23} Moreover, a defendant who has been criminally charged in the district court
9 and is aggrieved by a search warrant issued by an inferior court has an adequate
10 remedy. The defendant may file a motion in the district court to quash the warrant
11 pursuant to Rule 5-601(C) NMRA, or a motion to suppress the evidence pursuant to
12 Rule 5-212 NMRA. If needed, the district court may hold an evidentiary hearing on
13 the motion. Rule 5-212(D). We do not view this process as interfering with or
14 limiting a defendant’s constitutional due process’ rights. “The Fourth Amendment
15 was tailored explicitly for the criminal justice system, and its balance between
16 individual and public interests always has been thought to define the ‘process that is
17 due’ for seizures of person or property in criminal cases.” *Gerstein*, 420 U.S. at 125
18 n.27 (citation omitted).

1 {24} Thus, we hold that, as currently drafted, the Rules of Criminal Procedure grant
2 metropolitan and magistrate courts authority to issue search warrants, even after
3 formal criminal prosecution has commenced in the district court. Accordingly, the
4 metro court had the authority to issue the two search warrants for Defendant's oral
5 swab and fingerprints.

6 **B. The District Court Did Not Abuse Its Discretion in Quashing the**
7 **Warrants**

8 {25} In addition to the jurisdictional and constitutional concerns raised by the
9 district court, the district court found that the two warrants issued against Defendant
10 should be quashed because the warrants conflicted with the district court's
11 scheduling order, and the affidavits supporting the warrants were deceptive.
12 Although the parties do not address these additional findings on certiorari, we
13 nevertheless affirm that these findings support the district court's decision to quash
14 the warrants issued by the metro court. We additionally conclude that the State's
15 conduct in seeking the second warrant while a motion to quash was pending on the
16 first warrant provides additional reasons on which we will affirm the district court.
17 We explain our reasoning to provide guidance to the parties and courts with respect
18 to a court's authority to quash a search warrant issued by an inferior court after the
19 commencement of a formal criminal prosecution in the district court. *See* Rule 12-
20 321(B)(2)(a) NMRA (providing that an appellate court may consider an issue within

1 the general public interest even if it falls outside the scope of issues preserved for
2 review).

3 **1. A district court may quash a warrant issued by an inferior court to**
4 **promote the orderly and efficient administration of justice**

5 {26} Even though an inferior court may issue a search warrant after formal criminal
6 proceedings are initiated in the district court, we additionally hold that a district court
7 may quash that warrant pursuant to its inherent power to ensure the orderly and
8 efficient administration of those proceedings. The district court retains broad power
9 to control the cases on its docket. *State ex rel. N.M. State Highway & Transp. Dep't*
10 *v. Baca*, 1995-NMSC-033, ¶ 11, 120 N.M. 1, 896 P.2d 1148 (“It has long been
11 recognized that a court must be able to command the obedience of litigants and their
12 attorneys if it is to perform its judicial functions. Such powers inhere in judicial
13 authority and exist independent of statute.”); *see also Chambers v. NASCO, Inc.*, 501
14 U.S. 32, 43 (1991) (recognizing a court’s power to “impose silence, respect, and
15 decorum, in their presence, and submission to their lawful mandates” and “to
16 manage their own affairs so as to achieve the orderly and expeditious disposition of
17 cases” (internal quotation marks and citations omitted)). “The authority of the court
18 to control its docket encompasses the power to supervise and control the movement
19 of all cases on its docket from the time of filing through final disposition, and to
20 apply sanctions when reasonable efforts to manage the court’s caseload have failed.”

1 *Candelaria*, 2008-NMCA-120, ¶ 14 (internal quotation marks and citation omitted).
2 This power is “an inherent power, governed not by rule or statute but by the control
3 necessarily vested in courts to manage their own affairs so as to achieve the orderly
4 and expeditious disposition of cases.” *Beverly v. Conquistadores, Inc.*, 1975-
5 NMCA-070, ¶ 6, 88 N.M. 119, 537 P.2d 1015 (internal quotation marks omitted)
6 (quoting *Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962)). This inherent power
7 “extends to conduct occurring before the court or in direct defiance of the court’s
8 authority.” *Baca*, 1995-NMSC-033, ¶ 17.

9 {27} While the rules do not prohibit obtaining a post-indictment warrant from an
10 inferior court, there may be circumstances where obtaining such a warrant interferes
11 with a district court’s control over the criminal proceedings against a defendant. In
12 these circumstances, the district court may exercise its inherent power to fashion an
13 appropriate remedy, and “[a] trial judge acts well within [its] duties . . . to apply
14 sanctions when reasonable efforts to manage the court’s caseload have failed.” *State*
15 *v. Ericksen*, 1980-NMCA-029, ¶¶ 9-10, 94 N.M. 128, 607 P.2d 666 (upholding a
16 trial court’s authority to order dismissal with prejudice based on the district
17 attorney’s attempted forum shopping); *Candelaria*, 2008-NMCA-120, ¶ 22
18 (affirming the metro court’s dismissal of the prosecution as a sanction for
19 unnecessary delay by the state). We will review the district court’s decision under

1 these circumstances using an abuse of discretion standard. *Candelaria*, 2008-
2 NMCA-120, ¶ 15. “An abuse of discretion occurs when the ruling is clearly against
3 the logic and effect of the facts and circumstances of the case. We cannot say the
4 trial court abused its discretion by its ruling unless we can characterize it as clearly
5 untenable or not justified by reason.” *State v. Salazar*, 2007-NMSC-004, ¶ 10, 141
6 N.M. 148, 152 P.3d 135 (internal quotation marks and citation omitted).

7 **2. The district court did not abuse its discretion in quashing the warrants**

8 {28} We further conclude that the district court did not abuse its discretion in
9 quashing the two warrants issued for Defendant’s oral swab and fingerprints and
10 suppressing the evidence without prejudice to the State in obtaining the same
11 evidence in the future. The record supports the district court’s decision because (1)
12 the warrants conflicted with the district court’s scheduling order, (2) the omissions
13 in the affidavits misled the metro court judges, and (3) the State’s conduct in seeking
14 the second warrant defied the district court’s authority over the proceedings against
15 Defendant. We, therefore, affirm the district court in quashing the warrants without
16 prejudice to the State in obtaining the same evidence through a motion.

17 {29} First, we conclude that the two search warrants were properly quashed
18 because they conflicted with the district court’s scheduling order. The district court
19 found that the State’s conduct in seeking Defendant’s oral swab and fingerprints by

1 warrant instead of by motion potentially delayed the disclosure deadline for the
2 evidence by nine months. The district court thus concluded that the warrants
3 interfered with the efficient progress of its proceedings. “Where discovery violations
4 inject needless delay into the proceedings, courts may impose meaningful sanctions
5 to effectuate their inherent power and promote efficient judicial administration.”
6 *State v. Le Mier*, 2017-NMSC-017, ¶ 19, 394 P.3d 959. In view of the possible delay
7 in the disclosure of this evidence, the district court did not abuse its discretion by
8 quashing the warrants and directing the State to seek the same evidence through a
9 procedure conforming to the district court’s deadlines.

10 {30} Second, we determine that the district court properly quashed the warrants
11 because the affidavits supporting the warrants misled the metro court. The district
12 court found that the affidavits supporting the two search warrants were “deceptive”
13 because the State failed to disclose the formal criminal proceedings against
14 Defendant. The district court recognized, and we agree, that these omissions are not
15 relevant to a finding of probable cause and thus do not provide a basis for
16 invalidating the warrant under the Fourth Amendment to the United States
17 Constitution or Article II, Section 10 of the New Mexico Constitution. *See State v.*
18 *Garnenez*, 2015-NMCA-022, ¶ 14, 344 P.3d 1054 (explaining that evidence from a
19 search warrant may be suppressed if the search warrant affidavit deliberately or

recklessly includes false information or omits material information necessary to the finding of probable cause). The district court nevertheless quashed the warrants because of the “material” omissions in the affidavits. In view of Defendant’s arguments below regarding the State’s lack of candor in seeking the warrants, we discern that the district court quashed the warrants because they violated the prosecutor’s duty of candor to the metro court. *See* Rule 16-303(A), (D) NMRA (imposing on a lawyer a duty of candor to the tribunal, which duty is heightened in *ex parte* proceedings); *see also In re Dixon*, 2019-NMSC-006, ¶ 20, 435 P.3d 80 (“[T]he duty of candor applies to every facet of a lawyer’s professional responsibilities.”).

{31} The record supports the district court’s finding that the omissions misled the metro court, although we slightly depart from the district court’s reasoning in this regard. *See Freeman v. Fairchild*, 2018-NMSC-023, ¶ 30, 416 P.3d 264 (providing that an appellate court may affirm a district court on reasons not considered by the district court when it is not unfair to the appellant and the reasons are supported by substantial evidence); *accord State v. Marquez*, 2023-NMSC-029, ¶ 32, 539 P.3d 303 (emphasizing that it is improper for the appellate court to engage in fact-finding when applying the right for any reason doctrine). From the record, we observe that the State submitted two substantively identical affidavits to two different metro court

1 judges after the initiation of criminal proceedings against Defendant in the district
2 court. The State submitted the second affidavit without disclosing that the first
3 warrant had lapsed and was subject to a pending motion to quash. We additionally
4 notice that both affidavits were approved by ADA Wilson. Given these
5 circumstances, we agree that the metro court judge considering the second affidavit
6 should have been informed of the proceedings in the district court and, in particular,
7 should have been informed of the fact that the first warrant was then subject to a
8 motion to quash. *See* Rule 16-303(D) (requiring in *ex parte* proceedings that a lawyer
9 disclose “all material facts known to the lawyer that will enable the tribunal to make
10 an informed decision, whether or not the facts are adverse.”); *In re Barnes*, 574 P.2d
11 657, 658-59 (Or. 1978) (en banc) (per curiam) (reprimanding a deputy district
12 attorney for obtaining an *ex parte* search warrant to obtain a blood sample without
13 informing the issuing court that a hearing addressing this evidence was pending in
14 another court); *contra United States v. Savides*, 658 F.Supp. 1399, 1405 (N.D.Ill.
15 1987) (upholding a search warrant presented to two magistrates when both
16 magistrates were informed that the affidavit had been presented to multiple
17 magistrates), *aff’d sub nom United States v. Pace*, 898 F.2d 1218, 1230-31 (7th Cir.
18 1990). We, therefore, decide under the right for any reason doctrine that the State’s
19 lack of candor supports the district court’s decision to quash.

1 {32} This Court is additionally troubled by the timing of the second warrant and
2 affidavit, which we conclude displays an attempt to defy the authority of the district
3 court. From the record, we observe that the State executed the second warrant the
4 day before the district court's hearing on Defendant's motion. We also note that
5 ADA Wilson had previously represented that the motion to quash the first warrant
6 was moot, thus suggesting that the State would not continue to seek this evidence
7 via a warrant issued by the metro court. The State's conduct thus suggests an attempt
8 to subvert the district court's authority to rule on the motion to quash. *Cf. Baca*,
9 1995-NMSC-033, ¶ 17 (explaining that a court's inherent power extends to
10 proceedings before a court and actions taken in defiance of a court). Indeed, we view
11 the State's conduct in relation to the second warrant as judge shopping, which
12 violates the spirit, if not the letter, of our rules. *Cf. People v. Cocliova*, 503 N.Y.S.2d
13 258, 261-62 (Rochester City Ct. 1986) (suppressing evidence obtained from a search
14 warrant presented to multiple magistrates, noting that even if the rules "or case law
15 is silent on this issue, 'judge shopping' of this kind cannot be permitted"). Although
16 no rule prohibited the State from seeking the second warrant from the metro court
17 after Defendant was indicted, when the State "deliberately engage[s] in game-
18 playing with the rules" and "misuse[s its] discretionary powers to achieve a barred
19 result," a court may apply sanctions tailored to deter the offending conduct.

1 *Ericksen*, 1980-NMCA-029, ¶ 9. The State’s gamesmanship in relation to the
2 issuance and execution of the second warrant provides additional grounds on which
3 we will affirm the district court.

4 {33} Finally, we see no abuse of discretion in the sanction imposed by the district
5 court, specifically that the two warrants should be quashed and the evidence
6 suppressed without prejudice to the State in seeking the same evidence through a
7 motion before the district court. We agree that quashing the warrants and proceeding
8 as if they never existed is an appropriately tailored and meaningful sanction in view
9 of the circumstances. *Cf.* Rule 1-011(A) NMRA (providing that, in district court, a
10 pleading or paper signed by an attorney that lacks “good ground to support it” or is
11 “not interposed for delay” may be “stricken as sham and false and the action may
12 proceed as though the pleading or other paper had not been served”); Rule 2-301
13 NMRA (stating the same, but in magistrate court); Rule 3-301 NMRA (stating the
14 same, but in metropolitan court); *State v. Jones*, 566 P.2d 867, 869-70 (Or. 1977)
15 (en banc) (affirming the suppression, without prejudice, of evidence obtained from
16 a search warrant acquired through a prosecutor’s lack of candor with the court).

17 **C. We Ask Our Rules Committees to Consider Revisions to Rule 5-211, Rule**
18 **6-208, Rule 7-208, and Form 9-213**

19 {34} We additionally exercise our power of superintending control to ask our
20 committees for the Rules of Criminal Procedure for the district, metropolitan, and

1 magistrate courts to propose revisions to Rule 5-211, Rule 6-208, Rule 7-208, and
2 the search warrant affidavit Form 9-213 in light of this opinion. *See* N.M. Const. art.
3 VI, § 3 (granting this Court the power of “superintending control over all inferior
4 courts”); *Johnson & Johnson v. Wilson*, 2025-NMSC-003, ¶ 9, 563 P.3d 841 (“The
5 power of superintending control is the power to control the course of ordinary
6 litigation—and hence the authority to regulate pleading, practice, and procedure—
7 in lower courts.” (internal quotation marks and citation omitted)). The goal of these
8 revisions should be to encourage full disclosure of prior court actions when obtaining
9 a search warrant from an inferior court after the commencement of a formal criminal
10 prosecution in the district court. We specifically request that these committees
11 consider whether the rules and associated form should be amended to permit or
12 require the State to disclose the existence of related criminal proceedings in an
13 affidavit for a search warrant and to file an associated notice in the district court. *Cf.*
14 Rule 12-208(D)(7) NMRA (requiring a docketing statement to contain “a reference
15 to all related or prior appeals of which the party is aware, including an appropriate
16 citation, if any”).

17 **IV. CONCLUSION**

18 {35} We hold that a metropolitan court or magistrate court may issue a warrant
19 after a formal criminal prosecution has commenced in the district court; however, a

1 district court may quash a warrant issued by an inferior court under its inherent
2 power to ensure the orderly and efficient administration of justice. Therefore, we
3 affirm the district court in quashing the two post-indictment search warrants issued
4 in this case. We reverse the Court of Appeals and remand this matter to the district
5 court for further proceedings in conformance with this opinion. We additionally ask
6 our rules committees to propose revisions to Rule 5-211, Rule 6-208, Rule 7-208,
7 and Form 9-213 of the Rules of Criminal Procedure in light of this opinion.

8 {36} **IT IS SO ORDERED.**

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MICHAEL E. VIGIL, Justice

11 **WE CONCUR:**

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DAVID K. THOMSON, Chief Justice

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C. SHANNON BACON, Justice

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JULIE J. VARGAS, Justice

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BRIANA H. ZAMORA, Justice