

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

_____,
Plaintiff,

v.

No. _____

Judge assigned: _____

_____,
Defendant.

CIVIL SUMMONS

TO: _____, Defendant ¹

ADDRESS: _____

GREETINGS:

This summons notifies you that a complaint has been filed against you. A copy of the complaint and an answer form ² are attached to this summons. You are required to serve and file answer to the complaint, or a responsive pleading, within TWENTY (20) DAYS AFTER THE SUMMONS HAS BEEN SERVED ON YOU. You must file an answer or responsive pleadings with the clerk of the Metropolitan Court and you must serve a copy of the answer or responsive pleading on the opposing party.

IF YOU DO NOT FILE AND SERVE AN ANSWER OR RESPONSIVE PLEADING WITHIN THE TWENTY (20) DAY PERIOD. A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER RELIEF DEMANDED IN THE COMPLAINT.

IF YOU WANT A TAPE RECORDING OF ANY PROCEEDING, YOU MUST REQUEST IT PRIOR TO THE BEGINNING OF THE PROCEEDING. IF YOU DO NOT ASK FOR A TAPE RECORDING, YOU WILL NOT HAVE A RECORD OF THE PRECEEDINGS TO TAKE TO THE DISTRICT COURT FOR ANY APPEAL.

Your answer must be filed with the court which is located at:
401 Lomas NW, Albuquerque, NM 87102

A copy of your answer or responsive pleading must be mailed to:

Name: _____
Address: _____

Date

Clerk

RETURN

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

(complete the following, unless service by sheriff or deputy) ³

I, being sworn, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ County on the _____ day of _____, _____, by delivering a copy of this summons, a copy of the complaint and an answer (*indicate below how served*):

(complete if service by sheriff or deputy) ³

I certify that I served this summons in _____ County on the _____ day of _____, _____, by delivering a copy of this summons, a copy of the complaint and an answer form in the following manner:

(person serving summons must check one box and fill in appropriate blanks)

By delivering a copy of this summons, a copy of the complaint and an answer form to the defendant, _____ (*used when defendant receives copy of summons or refuses to receive summons*).

By delivering a copy of this summons, a copy of the complaint and an answer form to _____, a person over fifteen (15) years of age and residing at the usual place of abode of the defendant, _____, located at _____ (*address*). (*used when defendant is not presently at the abode*.)

By posting a copy of the summons, complaint and an answer form in the most public part of the usual place of abode of _____ (name of defendant) located at _____ (*address*) (*used if no person found at dwelling house or usual place of abode*).

(If service is by posting a copy of the summons, complaint and an answer form must also be mailed to the person served. The person serving by posting and the person serving by mail must each sign a return. The person mailing must check and complete the certificate of mailing at the end of this summons.)

By delivering a copy of this summons, a copy of the complaint and an answer form to _____, an agent authorized to receive service of process for defendant.

By delivering a copy of this summons, a copy of the complaint and an answer form to _____, (*parent*) (*guardian*) (*custodian*) of defendant (*used when defendant is a minor or an incompetent person*).

By delivering a copy of this summons, a copy of the complaint and an answer form to _____ (*name of person*), _____, (*title of person authorized to receive service*) (*used when defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

By service by mail.

Fees: _____

Signature of person making service

Title (if any)

Subscribed and sworn to before me this _____ day of _____, _____

Judge, notary or other officer authorized to administer oaths³

Official title

(To be completed if service is made by posting)

I, being sworn, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served a copy of this summons on the _____ day of _____, _____, by mailing first class mail, postage prepaid, a copy of this summons, a copy of the complaint, and an answer form to:

(name of person served)

(address where mailed)

(county)

(city, state and zip code)

Signature of person making service

Title (if any)

Place of mailing

Date

Subscribed and sworn to before me this _____ day of _____, _____

Judge, notary or other officer authorized to administer oaths³

Official title

(To be completed if service is made by mail.)

I, being sworn, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served a copy of this summons on the _____ day of _____, _____, by mailing first class mail, postage prepaid, a copy of this summons, a copy of the complaint, an answer form and two copies of the notice and acknowledgement and a return envelope, postage prepaid, addressed to:

(name of person served)

(address where mailed)

(county)

(city, state and zip code)

Signature of person making service

Title (if any)

Place of mailing

Date

Subscribed and sworn to before me this _____ day of _____, _____

Judge, notary or other officer authorized to administer oaths³

Official title

USE NOTES

- 1. *A separate summons must be used for each defendant.*
- 2. *An answer form must be attached to the summons at the time of service. For answer forms, see Rules 4-301 and 4-302 NMRA.*
- 3. *If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy need not be notarized.*
- 4. *For use when service is by posting.*
- 5. *If service is by mail, Civil Form 4-208 must be completed and mailed with this summons*