STATE OF NEW MEXICO
COUNTY OF _____
_____JUDICIAL DISTRICT COURT

_____,

        Plaintiff,

v.   No. D-___-CV-____-_____

_____,

        Defendant(s).

REQUEST FOR HEARING

1. Assigned Judge: _____

2. Type of case: <u>Complaint for Foreclosure</u>_____

3. Jury: _____ Non-Jury: _____

4. Dates of any hearings presently set: _____

5. Specific matter(s) to be heard upon this request: _____

6. Estimated total time required for hearing: _____

7. Attached is a sheet listing the names, law firms, capacities, addresses and telephone numbers of all attorneys and/or parties *pro se* entitled to notice.

                                 Respectfully submitted,

                                 _____
                                 Signature

                                 _____
                                 Name (printed)

                                 _____
                                 Mailing address

                                 _____
                                 City, State, Zip Code

                                 _____
                                 Telephone number

Certificate of Service

I hereby certify that a copy of this Request for Hearing was mailed/faxed/hand-delivered (circle one) to the attorney for the Plaintiff on _____.

                                           month/day/year

_____
Signature

Parties Entitled to Notice:

_____
Plaintiff's Attorney's Law Firm

_____
Plaintiff's Attorney's Name

_____
Law Firm Mailing Address

_____
City, State, Zip Code

_____
Telephone Number

_____
Your Name (printed)

_____
Your Mailing address

_____
City, State, Zip Code

_____
Telephone number

DO NOT FILE—INSTRUCTIONS PAGE

Disclaimer: The contents of this *pro se* Request for Hearing and instructions do not constitute legal advice. Foreclosure is a complicated area of law and it is strongly recommended that you contact a licensed NM attorney for advice about your specific case.

If you are not represented by an attorney and you would like to file a Motion with the Court to ask the Court to do something (for example: to ask the Court for permission to file an Amended Answer) then you must file a Request for Hearing along with your Motion. This Request puts the Court on notice that you would like for a hearing to be scheduled in front of your assigned Judge so that the Judge will make a decision on your Motion.

Filling out the Request for Hearing:

1. Hand-write or type all of the information at the top of the first page of the Request for Hearing (called the caption) exactly as it is written on the first page of the Complaint, being sure to notate the appropriate court, plaintiff and defendant names, and case number.
2. Next, write in the name of your assigned Judge. You can look up who your Judge is by logging onto www.nmcourts.gov and looking up your foreclosure case either by your name or by your case number. You can also find out who your Judge is by looking on the front page of the Summons that you were served with.
3. On line 3, indicate whether or not your case has a Jury. Most Foreclosure cases are Non-Jury cases. However, if you have filed counterclaims against the Plaintiff, and you have properly requested and paid for a Jury, then you should indicate that here.
4. On line 4, let the Court know if there are any other hearings scheduled when you file your Request for Hearing.
5. On line 5, briefly describe what the hearing is for (for example: Defendant's Motion for Leave to File an Amended Answer)
6. On line 6, let the Judge know how long you think the hearing will be. Most hearings on Defendant's Motions should take around 20 minutes.
7. Finally, write in your name and contact information, and also the name and contact information for the Plaintiff's attorney under the heading, "Parties Entitled to Notice." This tells the Court who to notify once a hearing is scheduled.
8. There is a Certificate of Service prepared at the bottom of your Request for Hearing for your use. This certificate is a statement that you have mailed a copy of your Request for Hearing to the Plaintiff's attorney. You should be sure to sign and date the Certificate of Service and mail out the copy of the Request for Hearing on the date indicated on the certificate.
9. Make two copies of the *pro se* Request for Hearing; take the original and two copies to the district court clerk for filing. The Clerk will stamp all three documents. The Clerk will keep the original and return the two copies to you. Mail one of the copies to the attorney for the Plaintiff and keep one for your records. You should file the Request for Hearing at the same time that you file your Motion.