

4-208. Notice and acknowledgment of receipt of summons and complaint.

[For use with Rules 2-202, 3-202 NMRA in the Magistrate and Metropolitan Courts]

STATE OF NEW MEXICO

COUNTY OF _____
_____ COURT

_____, Plaintiff

v.

No. _____

_____, Defendant

**NOTICE AND ACKNOWLEDGMENT OF RECEIPT OF
SUMMONS AND COMPLAINT**

TO: _____

ADDRESS: _____

The enclosed summons, complaint, answer form, two copies of this notice and acknowledgment of receipt of summons and a postage prepaid return envelope are served pursuant to the rules of civil procedure.

You must sign and date the receipt. If you are served on behalf of a corporation, unincorporated association (including a partnership) or other entity, you must indicate under your signature your relationship, position or title. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your relationship, position or title.

You must complete and return one copy of the completed form to the sender within twenty

(20) days of the date upon which this notice was mailed. This date appears below. If you fail to complete and return this form to the sender within twenty (20) days plus three (3) days for mailing, you may be required to pay any expenses incurred in serving a summons and complaint in any other manner permitted by law. It must be received by the sender within twenty-three (23) days from the date it was mailed to you.

A stamped and addressed envelope has been included with this notice. You may use this envelope to return this form to the sender.

In addition to completing this form and returning it to the sender, you must also answer the complaint and file an answer with the court within twenty-three (23) days from the date this notice was mailed to you. This date appears below. An answer form has been included with this notice for your use. If an answer is not filed with the court a default judgment may be granted for the relief demanded in the complaint.

I declare, under penalty of perjury, that the complaint, an answer form, two copies of this notice and acknowledgment of receipt of summons and complaint and a postage prepaid return envelope were mailed on the ____ day of _____, _____ from _____
(*place of mailing*).

Signature of person mailing

Date of signature

RECEIPT OF SUMMONS AND COMPLAINT

I received a copy of the summons and complaint.

I understand that a judgment may be entered against me (or the party on whose behalf I received service) if I do not file an answer to the complaint with the court within twenty-three (23) days from the date this notice was mailed to me.

Signature of defendant or
or defendant's attorney

Position or title

Date of signature

*(To be completed prior to filing
with the clerk of the court.
Proof of service is required for each party.)*

AFFIDAVIT OF SERVICE

I declare under penalty of perjury that a copy of the complaint, an answer form, two copies of this notice and acknowledgment of receipt of summons and complaint and a postage prepaid return envelope were served by mail on the following persons or entities on this ____ day of _____, ____:

(1) _____

(Name of party)

(Address)

(2)

(Name of party)

(Address)

Signature of person mailing pleadings

Date of signature

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

Judge, notary or other officer
authorized to administer oaths

Official title

[As amended, effective January 1, 1993; September 2, 1997.]