

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
ELEVENTH JUDICIAL DISTRICT COURT

Plaintiff/Petitioner,

vs.

No. D-1116-_____

Defendant/Respondent.

MOTION FOR SERVICE BY PUBLICATION

_____, (*print plaintiff's/petitioner's name*) the Plaintiff/Petitioner, states that after diligent inquiry and search efforts, plaintiff/petitioner has been unable to serve process on the above-named defendant/respondent personally and the following diligent efforts were made to locate and serve the above-named defendant/respondent personally with a summons and complaint:

(Check each method of service attempted and complete applicable blank spaces)

- personal service;
- service at the defendant's/respondent's last known residential address by _____
_____ (*name of person attempting service*);
- service by mail or courier service pursuant to paragraph F of Rule 1-004 NMRA;
- service at the defendant's/respondent's last known business address;
- service at the address listed at the motor vehicle division for the defendant's/respondent's driver's license;
- service at the address listed in the last telephone directory listing for the following city or county: _____ (*list cities and counties*);
- a search of the records of the following courts _____
_____ (*list courts*);
- contacted the post office for the zip code of the last known address of the defendant/respondent and there was no forwarding address;
- _____

(describe other attempts to locate and serve the defendant/respondent);

Pursuant to Rule 1-004 (K) NMRA 2005, a copy of the proposed notice to be published is attached and made a part of this motion.

I state upon my oath or affirmation that this document and the statements in it are true and correct to the best of my information and belief.

Date

Signature of Plaintiff/Petitioner

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20__
by _____

Judge, Notary or other officer authorized to administer oaths.

My commission expires; or title _____

Revised 12/09

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
ELEVENTH JUDICIAL DISTRICT COURT

Plaintiff/Petitioner,

vs.

No. D-1116-_____

Defendant/Respondent.

NOTICE OF PENDENCY OF ACTION

Defendant/Respondent is hereby notified that Plaintiff/Petitioner has filed a civil action against Defendant/Respondent in the above captioned cause of action, namely: _____
_____.

Defendant/Respondent is required to file with the Court an answer or motion in response to the complaint within thirty (30) days and serve a copy on the Plaintiff/Petitioner as provided in Rule 1-005 NMRA..

If Defendant/Respondent fails to file a timely answer or motion, default judgment may be entered against Defendant/Respondent for the relief demanded in the complaint.

Attorney (or attorneys) for Plaintiff/Petitioner (or Plaintiff/Petitioner, if no attorney):

_____ (Name)

_____ (Street or P.O. Box)

_____ (City, state and zip code)

_____ (Telephone number)

Date

Signature of Plaintiff/Petitioner

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
ELEVENTH JUDICIAL DISTRICT COURT

Plaintiff/Petitioner,

vs.

No. D-1116-_____

Defendant/Respondent.

ORDER FOR SERVICE BY PUBLICATION

Plaintiff/Petitioner has filed a motion requesting that the court approve service of process upon _____ (*name of Defendant/Respondent*) by publication in a newspaper of general circulation.

The Court FINDS that the Plaintiff/Petitioner has made diligent efforts to make personal service, but has not been able to complete service of process. The last known address of _____ (*name of Defendant/Respondent*) is _____.

The Court FURTHER FINDS that the newspaper of general circulation in this county is _____ (*name of newspaper*) and

(*choose the applicable alternative*)

- that this newspaper is most likely to give the defendant/respondent notice of the pendency of the action.
- in the county of _____, State of _____, a newspaper most likely to give notice of the pendency of this proceeding to the person to be served is _____ (*name of newspaper*).

THEREFORE, IT IS HEREBY ORDERED that the plaintiff/petitioner serve process on _____ (*name of Defendant/Respondent*) by publication once a week for three consecutive weeks in the _____ (*name of newspaper*) and, if applicable, once a week for three consecutive weeks in the _____ (*name of newspaper*) in _____ (*name of county*). (*Check here if publication in a second newspaper is not required.*)

IT IS FURTHER ORDERED that the Plaintiff/Petitioner shall file a proof of service with a copy of the affidavit of publication when publication has been completed.

Date

District Judge

Revised 12/09