

4-206  
STATE OF NEW MEXICO  
COUNTY OF SAN JUAN  
ELEVENTH JUDICIAL DISTRICT COURT

\_\_\_\_\_, Plaintiff

v.

No. D-1116-\_\_\_\_\_

\_\_\_\_\_, Defendant

**SUMMONS**

**THE STATE OF NEW MEXICO**

TO: \_\_\_\_\_, Defendant

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

You are required to serve upon \_\_\_\_\_ (*name of plaintiff or plaintiff's attorney*) an answer or motion in response to the complaint which is attached to this summons within thirty (30) days after service of this summons upon you, exclusive of the day of service, and file a copy of your answer or motion with the court as provided in Rule 1-005 NMRA.

If you fail to file a timely answer or motion, default judgment may be entered against you for the relief demanded in the complaint.

Attorney or attorneys for plaintiff (*or plaintiff, if no attorney*):

\_\_\_\_\_

Address and telephone number of attorneys for plaintiff (*or of plaintiff, if no attorney*):

\_\_\_\_\_ (*Street or P.O. Box*)

\_\_\_\_\_ (*City, state and zip code*)

\_\_\_\_\_ (*Telephone number*)

WITNESS the Honorable \_\_\_\_\_, District Judge of the Eleventh Judicial District Court of the State of New Mexico, and the Seal of the District Court of San Juan County, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WELDON J. NEFF  
CLERK OF THE DISTRICT COURT

Dated: \_\_\_\_\_

By \_\_\_\_\_  
Deputy

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

\_\_\_\_\_, Plaintiff

v.

No. D-1116-\_\_\_\_\_

\_\_\_\_\_, Defendant

**RETURN<sup>1</sup>**

I, being duly sworn, on oath, 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,

**(check one box and fill in the appropriate blanks)**

to the defendant \_\_\_\_\_. *(Used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint)*

to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA *(used when service is by mail or commercial courier service)*

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

to \_\_\_\_\_, a person over fifteen (15) years of age and residing at the usual place of abode of defendant \_\_\_\_\_, *(used when the defendant is not presently at place of abode)* and by mailing by first class mail to the defendant at \_\_\_\_\_ *(insert defendant's last known mailing address)* a copy of the summons and complaint.

to \_\_\_\_\_, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at \_\_\_\_\_ *(insert defendant's business address)* and by mailing the summons and complaint by first class mail to the defendant at \_\_\_\_\_ *(insert defendant's last known mailing address)*

to \_\_\_\_\_, an agent authorized to receive service of process for defendant \_\_\_\_\_.

to \_\_\_\_\_, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant \_\_\_\_\_ *(used when defendant is a minor or an incompetent person)*

to \_\_\_\_\_ *(name of person)*, \_\_\_\_\_, *(title of person authorized to receive service. Use this alternative when the 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.)*

Fees: \_\_\_\_\_

\_\_\_\_\_  
Signature of person making service

\_\_\_\_\_  
Title *(if any)*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.<sup>2</sup>

\_\_\_\_\_  
Judge, notary or other officer authorized to administer oaths

\_\_\_\_\_  
Official title

<sup>1</sup> Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.

<sup>2</sup> If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.