

4-209
STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

_____, Petitioner,

v. _____, Respondent.

No. D-1113-_____

MOTION FOR SERVICE BY PUBLICATION

_____, *(enter Petitioner's name)* the Petitioner, states that after diligent inquiry and search efforts, Petitioner has been unable to serve process on the above-named Respondent personally and the following diligent efforts were made to locate and serve the above-named Respondent personally with a summons and petition:

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

_____ service at the 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 respondent's last known business address;

_____ service at the address listed at the motor vehicle division for the 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)*;

_____ *(describe other attempts to locate Respondent.)*

_____ contacted the post office for the zip code of the last known address of the respondent and there was no forwarding address;

_____ *(describe other attempts to locate and serve the respondent)*;

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

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

Date

Signature of Petitioner

STATE OF NEW MEXICO)
) ss.
COUNTY OF _____)

Signed and sworn to before me this ____ day of _____, _____.

Judge, notary or other officer authorized
to administer oaths

Official title

My commission expires: _____

STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

_____, Petitioner,

v.

No. D-1113-_____

_____, Respondent.

NOTICE OF PENDENCY OF ACTION

Respondent is hereby notified that Petitioner has filed a civil suit against Respondent in the above-entitled cause of action requesting the dissolution of marriage. Respondent is required to serve upon the petitioner an answer or motion in response to the petition within thirty (30) days and file a copy of the answer or motion with the court as provided in Rule 1-005 NMRA 2005.

If respondent fails to file a timely answer or motion, default judgment may be entered against respondent granting the petition for dissolution of marriage.

(Choose one of the following alternatives)

_____Petitioner's address and telephone number

_____ *(Street or P.O. Box)*

_____ *(City, state and zip code)*

_____ *(Telephone number)*

_____Respondent's answer or motion in response to the petition need only be filed with the court.

4-209A
STATE OF NEW MEXICO
COUNTY OF MCKINLEY
ELEVENTH JUDICIAL DISTRICT

_____, Petitioner

v.

No. D-1113-_____

_____, Respondent

ORDER FOR SERVICE BY PUBLICATION

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

The Court FINDS that the 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 Respondent*) is _____.

The Court FURTHER FINDS that the newspaper of general circulation in this county is the Gallup Independent, Gallup Herald, and the Albuquerque Journal.

(choose the applicable alternative)

___ that this newspaper is most likely to give the 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 Petitioner serve process on _____ (*name of respondent*) by publishing the **NOTICE OF PENDENCY OF ACTION** once a week for three consecutive weeks in the Independent, Gallup Herald or the Albuquerque Journal 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 county is not required.*)

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

Date

District Judge