

STATE OF NEW MEXICO

_____ JUDICIAL DISTRICT COURT

COUNTY OF _____

In the Matter of an Extreme Risk
Firearm Protection Order for

Case No.:

TEMPORARY EXTREME RISK FIREARM PROTECTION ORDER

THIS MATTER comes before the Court upon a Petition for an Extreme Risk Firearm Protection Order. The Court having reviewed the Petition and the sworn affidavit of the Reporting Party, and being otherwise fully advised in the premises, hereby **FINDS** and **ORDERS** as follows:

In issuing this Order, the Court has considered the following:

- Any recent act or threat of violence by the Respondent against self or others, regardless of whether the act or threat involved a firearm;
- A pattern of acts or threats of violence by the Respondent within the past twelve months, including acts or threats of violence against self or others;
- The Respondent's mental health history;
- The Respondent's abuse of controlled substances or alcohol;
- The Respondent's previous violations of any court order;
- Previous extreme risk firearm protection orders issued against the Respondent;
- The Respondent's criminal history, including arrests and convictions for violent felony offenses, violent misdemeanor offenses, crimes involving domestic violence or stalking;
- The Respondent's history of the use, attempted use or threatened use of physical violence against another person; of stalking another person; or of cruelty to animals; and
- Any recent acquisition or attempts at acquisition of a firearm by the Respondent.

In addition, the Court has considered other relevant information as follows:

Based on these specific facts, the Court finds there is probable cause to believe the Respondent poses a significant danger of causing imminent personal injury to self or others by having in the Respondent's custody or control or by purchasing, possessing or receiving a firearm before notice can be served and a hearing held.

FIREARM PROHIBITION. *Respondent is prohibited from having in the Respondent's possession, custody or control any firearm. Respondent is also prohibited from purchasing, receiving or attempting to purchase or receive any firearm while this Order is in effect.*

RELINQUISHMENT OF FIREARMS. Respondent is hereby ordered to safely relinquish (surrender) all firearms in Respondent's possession, custody or control to a law enforcement agency, a law enforcement officer or a federal firearms licensee (FFL):

within forty-eight (48) hours after you are served with this Order; OR

(an earlier timeframe, at the discretion of the Court)

Failure to relinquish (surrender) all firearms, is a misdemeanor offense, punishable by up to 364 days in jail and/or a \$1,000 fine, pursuant to Section 31-19-1 NMSA 1978.

NOTICE AND HEARING

This Order shall remain in effect for ten (10) days or until the hearing date noted below, whichever date is earlier. A hearing to determine whether a One-Year Extreme Risk Firearm Protection Order shall be issued will be held on the date and time noted below. **Failure to appear at this hearing may result in the court issuing an order against you, which would be valid for one (1) year. You may seek the advice of an attorney for any matter associated with this Temporary Extreme Risk Firearm Protection Order.**

The hearing for a One-Year Extreme Risk Firearm Protection Order will be held before Judge _____ on _____, 20____
at _____ am pm at the _____ Judicial District Court,
located at _____. This hearing may
only be continued at the request of the Respondent, but if continued must be re-set within thirty
days of the Respondent's request for a continuance.

IT IS SO ORDERED.

by: _____
District Court Judge
_____ Judicial District Court
{Address}
{City}, {State} {Zip Code}

Issued this _____ day of _____, _____ at _____ am pm
day month year time