

4A-202. Motion for temporary order (*domestic relations actions*).

[For use with Rules 1-121 and 1-122 NMRA]

STATE OF NEW MEXICO

COUNTY OF _____

_____ JUDICIAL DISTRICT

_____,
Petitioner,

v. No. _____

_____,
Respondent.

MOTION FOR TEMPORARY ORDER
(*domestic relations actions*)¹

I, _____ (*name of Petitioner or Respondent*) request the court to enter the following temporary order(s): (*check all that apply*)

- (1) temporary domestic order;²
- (2) temporary division of property;
- (3) temporary division of income and debts;
- (4) temporary custody of minor children;
- (5) temporary order establishing timesharing and a visitation schedule
- (6) temporary child support and request for wage withholding;
- (7) temporary allocation of community resources to permit both parties to hire an attorney;
- (8) _____ (*other*).

I have tried to talk to _____. (*name of the other party or the other party's attorney if represented*)

This is what happened: (*You MUST check one of these boxes.*)

- The other party AGREES with my motion.

- The other party DOES NOT AGREE with my motion.
- The other party WILL NOT TALK TO ME about my motion.
- I CANNOT TALK TO THE OTHER PARTY because there is a protective order between us and the other party does not have a lawyer.
- I HAVE NOT TALKED TO THE OTHER PARTY because:

 _____.

 Signature of party or attorney

 Name (*print*)

 Address (*print*)

 City, state and zip code (*print*)

 Telephone number

CERTIFICATE OF SERVICE

I certify that on _____ (*date*), I (*check the applicable item below and fill in all information*)

- mailed a copy of this motion by United States mail, postage prepaid, to:

Name: _____

Mailing address: _____

City, state, and zip code: _____;

- delivered a copy of this motion to _____ (*the other party or the other party's attorney*); or

- faxed a copy of this motion to _____ (*the other party or the other party's attorney*) using the following fax number: _____. The transmission was reported as complete and without error. The time and date of the transmission was _____

(a.m) (p.m) on _____ (date).

Signature of attorney

Date of signature

*If this notice was served by a person other than an attorney,
the following must also be completed and filed with the court:*

VERIFICATION OF SERVICE

I affirm under penalty of perjury under the laws of the State of New Mexico that a copy of this motion for temporary order was served by [mail] [fax] [electronic transmission] as described above on _____ (date).

Signature of person who made service

USE NOTE

1. See Committee Commentary to Rule 1-120 NMRA for what constitutes a domestic relations action.
2. See Rule 1-121 NMRA and Form 4A-201 NMRA for the Supreme Court approved Temporary Domestic Order.

[Approved, effective November 1, 2000 until November 1, 2001; approved, effective November 1, 2001; 4A-111 recompiled and amended as 4A-202 by Supreme Court Order No. 13-8300-010, effective for all pleadings and papers filed on or after May 31, 2013, in all cases pending or filed on or after May 31, 2013.]

Compiler's note. – Pursuant to Supreme Court Order No. 13-8300-010, former 4A-111 NMRA was recompiled and amended as 4A-202 NMRA effective May 31, 2013.

Withdrawals. – Pursuant to Supreme Court Order No. 13-8300-010, former 4A-202 NMRA, relating definitions used in the Domestic Relations Forms, was withdrawn effective May 31, 2013.