

[NEW MATERIAL]

1 **4-924**

2
3 **[Sections 47-10-4 and 47-8-43 NMSA 1978]**

4
5 STATE OF NEW MEXICO

6 _____ COURT
7 _____ COUNTY

8
9 No. _____

10
11 _____, Plaintiff

12
13 v.

14
15 _____, Defendant

16
17
18 **SUMMONS**
19 **AND NOTICE OF TRIAL ON**
20 **PETITION FOR TERMINATION OF TENANCY**
21 **(Mobile Home Park Act)**

22
23 To: _____, defendant

24
25 Address: _____
26
27 _____, New Mexico _____

28
29 You are notified that an action has been filed to
30 terminate the rental agreement or lease of a mobile home space
31 located in _____ County, New Mexico at:

32
33 _____ (name of mobile home park)
34 _____ (mobile home address)
35 _____ (mobile home lot or space)
36 _____, New Mexico _____.

37
38 You are ordered to appear for trial before the Honorable
39 _____, Judge, Div._____, located at
40 _____, New Mexico on the ____ day of
41 _____, _____, at the hour of ____m. to show cause
42 and present all evidence you may have why the tenancy should
43 not be terminated.¹

44
45 Your failure to appear at the time and place specified
46 above may result in the entry of judgment against you in
47 accordance with the petition filed by the plaintiff in this
48 action, a copy of which is attached.

[NEW MATERIAL]

1 **(person serving summons must check one of following boxes and**
2 **fill in appropriate blanks)**

3 [] by delivering a copy of this summons, a copy of the
4 petition and an answer form to the defendant
5 _____ (used when defendant receives
6 copy of summons or refuses to receive summons).
7

8 [] by delivering a copy of this summons, a copy of the
9 petition and an answer form to _____,
10 a person over fifteen (15) years of age and
11 residing at the usual place of abode of defendant
12 _____, located at
13 _____ (address).
14 (used when defendant is not presently at the
15 abode.).
16

17 [] by posting a copy of the summons, petition and an
18 answer form in the most public part of the premises
19 of defendant _____ located at
20 _____ (address).
21 (used if no person found at dwelling house or usual
22 place of abode.) (If service is by posting a copy
23 of the summons, petition and an answer form must
24 also be mailed to the person served. The person
25 serving by posting and the person serving by mail
26 must each sign a return. The person mailing must
27 check and complete the certificate of mailing at
28 the end of this summons.)
29

30 [] by delivering a copy of this summons, a copy of the
31 petition and an answer form to _____,
32 an agent authorized to receive service of process
33 for defendant.
34

35 [] by delivering a copy of this summons, a copy of the
36 complaint and an answer form to _____,
37 (parent) (guardian) (custodian) of defendant (used
38 when defendant is a minor or an incompetent
39 person).
40

41 [] by delivering a copy of this summons, a copy of the
42 petition and an answer form to _____
43 (name of person), _____, (title of
44 person authorized to receive service) (used when
45 defendant is a corporation or an association
46 subject to a suit under a common name, a land grant

[NEW MATERIAL]

1 _____
2 Place of mailing

3
4 _____
5 Date

6
7 Subscribed and sworn to
8 before me this _____
9 day of _____, _____

10 _____
11 Judge, notary or other officer
12 authorized to administer oaths³

13 _____
14 _____
15 Official title

16
17 *(To be completed if service is made by mail.)⁶*

18
19 I, being sworn, state that I am over the age of eighteen (18)
20 years and not a party to this lawsuit, and that I served a
21 copy of this summons on the _____ day of _____,
22 _____, by mailing first class mail, postage prepaid, a copy of
23 this summons, a copy of the complaint, an answer form and two
24 copies of the notice and acknowledgement and a return
25 envelope, postage prepaid, addressed to:

26
27 _____ *(name of person served)*
28 _____ *(address where mailed)*
29 _____ *(county)*
30 _____ *(city, state and zip code)*

31
32 _____
33 Signature of person making service

34
35 _____
36 Title (if any)

37
38 _____
39 Place of mailing

40
41 _____
42 Date

43
44 Subscribed and sworn to before me
45 this _____ day of _____,
46 _____.

[NEW MATERIAL]

1 _____
2 Judge, notary or other officer
3 authorized to administer oaths
4

5 _____
6 Official title³
7

8 **USE NOTES**
9

- 10 1. *The trial setting must be not less than*
11 *seven (7) nor more than ten (10) days*
12 *after service of this summons. See*
13 *Section 47-8-43 NMSA 1978.*
- 14 2. *A separate summons must be used for each*
15 *defendant.*
- 16 3. *If service is made by the sheriff or a*
17 *deputy sheriff of a New Mexico county,*
18 *the signature of the sheriff or deputy*
19 *need not be notarized.*
- 20 4. *An answer form must be attached to the*
21 *summons at the time of service. See Rule*
22 *4-925 NMRA for answer to petition for*
23 *termination of tenancy.*
- 24 5. *For use when service is by posting. See*
25 *Section 47-10-4 NMSA 1978 for service by*
26 *posting under the Mobile Home Park Act.*
27 *This form requires service by mail in*
28 *addition to posting.*
- 29 6. *If service is by mail, Civil Form 4-208*
30 *must be completed and mailed with this*
31 *summons.*

32
33
34 [Adopted effective September 2, 1997.]

35 DBD::DB2::st execute failed: [IBM][CLI Driver][DB2/6000]
36 SQL0530N The insert or update value of the FOREIGN KEY
37 "DBUSER.BILLDETAIL.SQL980508102800170" is not equal to any
38 value of the parent key of the parent table. SQLSTATE=23503
39
40
41
42
43