

4-301

**[For use with Magistrate Court Rule 2-302 and  
Metropolitan Court Rule 3-302]**

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ COURT

No. \_\_\_\_\_

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

v.

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

**ANSWER TO CIVIL COMPLAINT<sup>1</sup>**

1. The Plaintiff is not entitled to the amount claimed because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

or

1. The personal property claimed by Plaintiff should not be turned over to Plaintiff because:

\_\_\_\_\_  
\_\_\_\_\_.

2. *(If applicable)* Defendant asserts the following counterclaim or set-off against Plaintiff: \_\_\_\_\_

\_\_\_\_\_.

3. Trial by jury is (not) demanded. *(If Plaintiff has already demanded trial by jury, as indicated in the complaint, a jury will be provided automatically and you need not fill in this item. If Plaintiff has not demanded trial by jury, you may do so here, but if you do you must pay an additional cost upon filing this answer.)*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Name *(print)*

\_\_\_\_\_  
Address *(print)*

\_\_\_\_\_  
City, State and zip Code *(print)*

\_\_\_\_\_  
Telephone number

**CERTIFICATE OF SERVICE<sup>2</sup>**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ this \_\_\_\_\_  
(insert paper served, such as "answer" or "notice") was

[mailed by United States first class mail, postage prepaid, and addressed to:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State  
and zip code: \_\_\_\_\_]

[faxed by \_\_\_\_\_ (name of person who faxed document) to  
\_\_\_\_\_ (name of recipient) at \_\_\_\_\_ (telephone number).  
The transmission was reported as complete. The time and date of the transmission was  
\_\_\_\_\_ (a.m.) (p.m.) on \_\_\_\_\_ (date).]

[e-mailed to \_\_\_\_\_ (name of party or attorney) at \_\_\_\_\_  
(electronic mail address of recipient) upon agreement of the party to accept electronic  
service. The transmission was reported as complete. The time and date of the transmission  
was \_\_\_\_\_ (p.m.) (a.m.) on \_\_\_\_\_ (date)].]

[delivered to \_\_\_\_\_ (Specify how service by delivery was made.  
See Use Note 1 for the methods service may be made using this alternative)  
\_\_\_\_\_:]

\_\_\_\_\_  
Signature of person sending paper

\_\_\_\_\_  
Date of signature

**USE NOTES**

1. This Answer must be filed with the court on or before the date set in the Summons.
2. This request must be served on all other parties pursuant to Rule 2-203 NMRA or Rule 3-203 NMRA. See also Rule 2-307 NMRA for how motions are presented to the court.

[As amended, effective January 1, 1995; March 21, 2005.]