

STATE OF NEW MEXICO/新墨西哥州
IN THE _____ COURT/法院
_____ COUNTY/郡/县

_____, Plaintiff /原告

v. /状告

No. /案号 _____

_____, Defendant /被告

SUMMONS AND NOTICE OF TRIAL
ON PETITION FOR WRIT OF RESTITUTION

申请归还令状

传票及审判通知

(Uniform Owner-Resident Relations Act)

(统一业主-住户关系法令)

To /致: _____, defendant /被告

Address /地址: _____

_____, New Mexico /新墨西哥州 _____

GREETINGS /您好:

You are ordered to appear for trial before the Honorable _____, Judge, Div. _____, located at _____, New Mexico on the ____ day of _____, _____ (date), at the hour of ____m. to show cause and present all evidence you may have why the Plaintiff's Petition for a Writ of Restitution for the property located at _____ should not be granted and why the Plaintiff should not have judgment against you for any back rents or damages you caused to the property, in accordance with the petition filed by the Plaintiff in this action, a copy of which is attached. / 现命令您出席____年____月____日(日期)上午/下午____点在新墨西哥州____由____区____大法官主持的审判, 请您提供理由并出示您所掌握的一切证据, 说明为何不应同意原告就位于____的物业所提出的返回财物令状要求, 以及为何不应根据原告在本案诉状中的要求, 裁定您须向原告缴付任何未付租金或您所造成的财产损失赔偿(原告诉状副本附后)。

Your failure to appear at the time and place specified above may result in the entry of judgment against you in accordance with the petition filed by the Plaintiff in this action, a copy of which is attached. / 如果您不按照以上规定时间和地点出庭, 可导致根据原告在本案中提出的诉求, 作出对您不利的裁决。原告诉状附后。

You may file a written answer and assert any claims you may have prior to the trial.

IF YOU WANT A TAPE RECORDING OF ANY PROCEEDING, YOU MUST REQUEST IT BEFORE THE BEGINNING OF THE PROCEEDING. IF YOU DO NOT ASK FOR A TAPE RECORDING, YOU WILL NOT HAVE A RECORD OF THE PROCEEDINGS TO TAKE TO THE DISTRICT COURT FOR ANY APPEAL.

如果您要给任何审理录音, 您必须在审判开始前提出请求。如果您不要求录音, 您上诉时将没有审理记录呈交给

地区法庭。

Dated / 日期: _____.

Judge / 法官

By / 发件人: _____

Clerk / 法庭办事员

**THIS IS YOUR NOTICE OF TRIAL
and will be the only notice
that you will receive.**

这是给您的庭审通知

而且这是您唯一

将收到的通知

Pursuant to the Americans with Disabilities Act, the Court will make reasonable accommodation. Should an accommodation be needed, please call 841-8151 prior to your appearance. / 根据残障美国人法令, 法庭将为残障人士提供接待方便。如果需要接待方便, 请在来庭之前打电话 841-8151.

RETURN¹/ 回执

STATE OF NEW MEXICO /新墨西哥州)
) ss
COUNTY OF _____ / _____ 郡/县

(complete if service is by a person other than the sheriff or deputy) / (如果文件送达人不是警长或警官, 请填写)

I, being sworn state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ county on the _____ day of _____, _____ (date), by delivering a copy of this summons, a copy of the petition and a copy of the answer form² in the following manner: /兹宣誓声明, 本人年龄超过十八(18)岁, 而且不是本案当事人; 我于_____年_____月_____日(日期)在_____县/郡送达此传票, 交付传票一份、诉状副本一份和回应表格一份²。交付方式如下:

(check and complete only if service by sheriff or deputy)³ / (仅在送达由警长或警官执行的情况下勾选及填写)³

I certify that I served this summons in _____ county on the _____ day of _____, _____ (date), by delivering a copy of the summons, a copy of the petition and an answer form² in the following manner: /兹证明, 本人于_____年_____月_____日(日期)在_____县/郡送达此传票, 交付传票一份、诉状副本一份和回应表格一份²。交付方式如下:

(person serving summons must check one of following boxes and fill in appropriate blanks) / (送达传票者必须勾选以下方框及填写适当空白处)

- by delivering a copy of this summons, a copy of the petition and an answer form to the defendant _____ (used when defendant receives copy of summons or refuses to receive summons). /向被告_____交付此传票、诉状及回应表格(在被告接收或拒绝接收传票时使用)。
by delivering a copy of this summons, a copy of the petition and an answer form to _____, a person over fifteen (15) years of age and residing at the usual place of abode of defendant _____, located at _____ (address). (used when defendant is not presently at the abode.). /向年龄超过十五(15)岁并住在_____ (地址)被告_____通常住所的人士_____交付传票、诉状副本和回应表格。(用于被告不在其住所时)。
by posting a copy of the summons, petition and an answer form in the most public part of the premises of defendant _____ located at _____ (address). (Used if no person found at dwelling house or usual place of abode.) (If service is by posting a copy of the summons, petition and an answer form must also be mailed to the person served. The person serving by posting and the person serving by mail must each sign a return. The person mailing must check and complete the certificate of mailing at the end of this summons.) /张贴传票、诉状和回应表格各一份在被告_____位于_____ (地址)物业之公众利用最多的公共场所。(在居所或常住地点无人的情况下采用此法。)(如果以张贴方式送达, 还必须向被送达人邮寄传票、诉状和回应表格。张贴方式送达人员及邮寄方式送达人员必须各签一份回执。邮寄人员必须勾注和填写本传票页尾的邮寄证明。)
by delivering a copy of this summons, a copy of the petition and an answer form to _____, an agent authorized to receive service of process for defendant. /向_____ , 替被告接收诉讼文件之授权代理人交付此传票、诉状副本和回应表格。
by delivering a copy of this summons, a copy of the complaint and an answer form to _____, (parent) (guardian) (custodian) of defendant (used when defendant is a minor or an incompetent person). /向_____, 被告(父母)(监护人)(监管人)交付此传票、诉状副本和回应表格。(用于被告为未成年人或无行为能力者)。
by delivering a copy of this summons, a copy of the petition and an answer form to _____ (name of person), _____, (title of person authorized to receive service) (used when defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision). /向_____ (人名), _____ (授权接收送达诉讼文件者职衔)交付此传票、诉状副本和回应表格。(用于被告为公司或协会, 以共同名义、土地拨赠信托委员会、新墨西哥州或任何政治分区之身份受到诉讼)。
by service by mail. /邮寄送达。

Fees /收费: _____

Signature of person making service/送达人签字

Title (if any) /职务(若有职务)

Subscribed and sworn to before me this _____ day of _____, _____.
于_____年_____月_____日
当本人之面签署并宣誓。

Judge, notary or other officer

Rule 4-905 NMRA; former Rule 4-904 SCRA 1986; recompiled as Rule 4-905 NMRA and amended, effective September 2, 1997.
CV-109 Summons and Notice of Trial on Petition for Writ of Restitution (rev. 02/08)

authorized to administer oaths³

Official Title

经授权主持宣誓之

法官、公证人或其他官员³

正式职衔

(To be completed if service is made by posting)⁴ / (供以张贴方式送达的情况下填写)⁴

I, being sworn, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served a copy of this summons on the ____ day of _____, _____, by mailing first class mail, postage prepaid, a copy of this summons, a copy of the complaint, and an answer form to: /本人在此宣誓声明, 本人年龄超过十八(18)岁且不属此诉讼任何一方; 本人已于____年____月____日以一等邮件, 邮资预付的邮寄方式将此传票、诉状副本及回应表格各一份送达:

(name of person served) / (被送达人姓名)

(address where mailed) / (邮寄地址)

(county) / (县/郡)

(city, state and zip code) / (市、州、邮编)

Signature of person making service / (送达人签名)

Title (if any) / 职衔 (若有职务)

Place of mailing / (邮寄地点)

Date / (日期)

Subscribed and sworn to

before me this ____ day of _____, _____.

于____年____月____日

当本人之面签署并宣誓。

Judge, notary or other officer
authorized to administer oaths³

Official title

经授权主持宣誓之

法官、公证人或其他官员³

正式职衔

(To be completed if service is made by mail.)⁵ / (供以张贴方式送达的情况下填写)⁵。

I, being sworn, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served a copy of this summons on the ____ day of _____, _____, by mailing first class mail, postage prepaid, a copy of this summons, a copy of the complaint, an answer form and two copies of the notice and acknowledgement and a return envelope, postage prepaid, addressed to: /本人在此宣誓声明, 本人年龄超过十八(18)岁且不属此诉讼任何一方; 本人已于____年____月____日以一等邮件, 邮资预付的邮寄方式将此传票、诉状副本及回应表格各一份, 以及两份通知和收件证明以及邮资已付, 寄至以下地址的回邮信封送达:

(name of person served) / (被送达人姓名)

(address where mailed) / (邮寄地址)

Rule 4-905 NMRA; former Rule 4-904 SCRA 1986; recompiled as Rule 4-905 NMRA and amended, effective September 2, 1997.
CV-109 Summons and Notice of Trial on Petition for Writ of Restitution (rev. 02/08)

_____(county) / (县/郡)
_____(city, state and zip code) / (市、州、邮编)

Signature of person making service / (送达人签名)

Title (if any) / 职衔 (若有职务)

Place of mailing / (邮寄地点)

Date / (日期)

Subscribed and sworn to before me this _____
day of _____, _____.
于_____年_____月_____日
当本人之面签署并宣誓。

Judge, notary or other officer
authorized to administer oaths³

Official Title

经授权主持宣誓之
法官、公证人或其他官员³

正式职衔

USE NOTES /使用说明

1. A separate summons must be used for each defendant. / 每名被告必须使用分开的传票。
2. An answer form must be attached to the summons at the time of service. For answer forms, see Rule 4-907 NMRA. / 在送达时, 回应表必须附在传票上。
3. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy need not be notarized. / 如果送达由新墨西哥州县/郡警长或警官执行, 该警长或警官签字不需要公证。
4. For use when service is by posting. / 供送达以张贴方式完成的情况下使用。
5. If service is by mail, Civil Form 4-208 must be completed and mailed with this summons. / 如果送达以邮寄方式进行, 必须填写民事表格 4-208 并随此传票一起邮寄。