

4-913A. Order setting escrow deposit/appeal bond. (Uniform Owner-Resident Relations Act). / 4-913A. 设立第三方代管保证金存款/上诉押金令。(统一业主 - 住户关系法令)

[Section 47-8-47 NMSA 1978] / [1978年新墨西哥州法令注释版(NMSA)第47-8-47章]

STATE OF NEW MEXICO / 新墨西哥州

COURT / 法院

COUNTY / 郡/县

_____, Plaintiff / 原告,

v. / 状告

No. / 案号 _____

_____, Defendant / 被告.

ORDER SETTING ESCROW DEPOSIT/APEAL BOND
设立第三方代管保证金存款/上诉押金令
(Uniform Owner-Resident Relations Act)
(统一业主 - 住户关系法令)

THIS MATTER having come before the Court and a Judgment having been entered, and the Court being otherwise fully advised in the premises, / 此案已经本庭审理并作出裁定, 并且本庭已充分了解败诉方就物业判决提出上诉。

[] IT IS ORDERED that if the case is appealed and the Appellant(s), the tenant(s)/resident(s), wishes to stay eviction from the property, within five (5) days of filing the Notice of Appeal¹ with the District Court, the Appellant(s) must pay in cash or cashier's check \$ _____ (representing an amount equal to the rental amount that shall come due following the Judgment through the end of the rental period from _____ to _____) to the owner or deposit that amount into an escrow account with a professional escrow agent. In addition, the Appellant shall continue to pay \$ _____ (representing the monthly rent established in the rental agreement) to the owner or deposit into an escrow account with a professional escrow agent on the ___ day of each month beginning _____ and continuing until the Appeal is decided or the Appellant vacated the property, whichever occurs first. / 现命令, 如果案件上诉, 上诉人(房客/住户)希望停止将其逐出物业的行动, 上诉人必须在向地区法庭递呈上诉通知¹后五(5)日内向业主以现金或银行本票缴付\$ _____ (相当于从判决后至租赁期末, 即从 _____ 到 _____ 的应付租金金额) 或将该金额存入专业第三方托管代理的第三方代管账户。此外, 从 _____ 起每月第 _____ 天, 上

诉人应继续向业主缴付\$_____（相当于租赁协议规定的月租金）或存入专业第三方托管代理的第三方代管账户，并继续至上诉结果决定或上诉人迁出物业（以先发生的情况为准）。

[] IT IS ORDERED that if the case is appealed and the Appellant(s), the tenant(s)/resident(s), wishes to stay collection of the monetary amounts other than rent (such as late fees, damages, etc.) due under the Judgment, the Appellant(s) shall file with the Court an Appeal Bond in the amount of \$_____ (in addition to the above described amounts). 现命令，如果案件上诉，上诉人（房客/住户）希望停止催收除租金以外根据判决应缴付的金额（如滞纳金、损失赔偿等），上诉人应向法庭缴付金额为\$_____ 的上诉保证金（在上述金额以外）。

IT IS FURTHER ORDERED that the parties are to follow the procedures set forth in Section 47-8-47 NMSA 1978, a copy of which is attached hereto, during the pendency of the Appeal or except as otherwise ordered by the Appellate Court. / 另外还命令：在上诉待决期间，双方应遵循1978年新墨西哥州法典（NMSA）注释版第47-8-47章中规定的程序（该文件副本附后），除非上诉庭另有命令。

NOTICE: IT IS THE RESPONSIBILITY OF THE DEFENDANT/APPELLANT TO ENSURE THAT THE COURT IS NOTIFIED IN WRITING THAT MONEY HAS BEEN DEPOSITED WITH AN ESCROW AGENT OR THE PLAINTIFF WITHIN THE TIME ALLOWED BY LAW. FAILURE TO GIVE THE COURT NOTICE WITHIN FIVE (5) DAYS OF THE DEPOSIT MAY RESULT IN A WRIT OF RESTITUTION (EVICTION) BEING ISSUED BY THE COURT. // 通知：被告/上诉方有责任确保以书面通知法庭，有关金额已在法律允许时间内存入第三方托管代理人或原告的账户。如果未在存款后五（5）日内通知法庭，可导致法庭发出物业归还（驱逐）令状。

Judge /法官

I certify that a copy of the foregoing Order was mailed/hand delivered to _____
on _____.

Clerk

本人证明以上命令副本已于_____（日期）
邮寄/亲手交付给_____。

法庭办事员

USE NOTE / 使用说明

1. Upon filing the Notice of Appeal with the District Court, the Appellant must promptly file a copy of the Notice of Appeal that has been endorsed by the Clerk of the District Court with the Magistrate or Metropolitan Court, together with a copy of the receipt of payment of the docket fee. / 向地区法院提交上诉通知时，上诉人必须必须立即向司法行政官或都市法庭呈报一份由地区法庭办事员背书的上诉通知副本，连同备审费缴付收据副本。

[Adopted by Supreme Court Order No. 13-8300-027, effective for all cases pending or filed on or after December 31, 2013.] / [转引最高法院命令 No. 13-8300-027, 对2013年12月31日及其后所有待审或提呈的案件。]