

4-928

[Section 47-10-9 NMSA 1978] / [1978年新墨西哥州法令注释版 (NMSA) 第47-10-9章]

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

No./案号 _____

_____, Plaintiff /原告

v. /状告

_____, Defendant /被告

**NOTICE TO LIENHOLDER
OF MOBILE HOME JUDGMENT**

通知置留权持有人

活动房判决

(Mobile Home Park Act)

(活动房园区法令)

To / 致 _____ (lienholder or other security interest) / (置留权持有人或其他质押担保权益人)

You are notified that: / 现通知如下:

1. A judgment has been entered against _____ (name of defendant) and a writ of restitution will be issued effective _____ (date) to remove the mobile home from the premises located in _____ County, New Mexico at: / 本庭已作出 _____ (被告姓名) 败诉裁决并下达归还令状, 自 _____ (日期) 起生效, 将活动房移出位于新墨西哥州 _____ 郡/县以下地点之物业:

_____ (name of mobile home park) / (活动房园区名称)

_____ (mobile home address) / (活动房地址)
_____ (mobile home lot or space) / (活动房地号或空间)
_____, New Mexico _____ . / 新墨西哥州 _____ 。

Without additional notice to you, the sheriff will serve a writ of restitution on or after 8:00 a.m. on _____ (date) for the removal of the mobile home on or before _____ (date)¹. / 警长将在 _____ (日期) 上午8:00 后送达归还令状并在 _____ (日期) 之前将活动房移除。

2. You have thirty (30) days from the date of receipt of this notice to pay the rent and charges permitted by law and to advise the landlord in writing whether you intend to pay the rent and other charges under the terms of the rental agreement. / 您自收到此通知起有三十 (30) 天时间交付租金及法律允许的费用并书面通知房东您是否打算根据租赁协议条款缴付租金及其它收费。
3. If you want to remove the mobile home at your expense before the date set for removal, you may do so by paying the landlord all rent, utility and other removal costs provided by law. The amount of rent, utility charges and other charges as of _____ (date) is as follows: / 如果您要自费在规定移除的日期之前移除活动房, 您可以在缴付给房东全部租金、公用事业费及其它迁出成本后自行移除。迄至 _____ (日期), 租金、公用事业费及其它收费金额如下:

Rent / 租金:	\$ _____
Utilities / 公用事业:	\$ _____
Removal and storage charges / 移除与储存费用	\$ _____
Other / 其它 _____	\$ _____
(Explain) (说明)	
Total due / 总计欠额:	\$ _____
Daily rent / 日租费	\$ _____

4. The tenant is required to pay rent on _____ (day of month) and utilities on _____ (day of month). 要求房客于每月 _____ (日) 交付租金, 以及于每月 _____ (日) 缴付公用事业费。
5. A copy of the lease and the landlord's rules and regulations are attached as Exhibits A and B. / 后附租约及房东规定与规则作为物证A 和 B。
6. This notice does not relieve you of complying with other applicable provisions of law relating to the repossession of the mobile home. 本通知并不解除您遵守其它收缴活动房有关法律规定之义务和责任。

Date / 日期: _____

Judge / 法官

RETURN²/ 回执²

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 and a copy of the notice of judgment with Exhibits A and B attached 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 and a copy of the notice of judgment with Exhibits A and B attached 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、判决通知一份连同所附物证A和B。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 and a copy of the notice of judgment with Exhibits A and B attached to the defendant _____ (used when defendant receives copy of summons or refuses to receive summons). /向被告 _____ 交付此传票、判决通知连同所附物证A和B (用于被告接受拒绝接受传票时)。

by delivering a copy of this summons and a copy of the notice of judgment with Exhibits A and B attached 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_____交付传票和
判决通知连同所附物证A和B。(用于被告不在其住所时)。

- by posting a copy of the summons and the notice of judgment with Exhibits A and B attached in the most public part of the premises of defendant _____ located at _____ (address) (This alternative is used if no person found at dwelling house or usual place of abode). (If service is by posting a copy of the summons, the notice of judgment with Exhibits A and B attached 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.) / 张贴传票和判决通知连同所附物证A和B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、诉状和回应表格各一份。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 and a copy of the notice of judgment with Exhibits A and B attached 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传票和判决通知连同所附物证A和B。
- by delivering a copy of this summons and a copy of the notice of judgment with Exhibits A and B attached 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)交付此传票和判决通知连同所附物证A和B。(此方式用于被告为未成年人或无行为能力者)。
- by delivering a copy of this summons and a copy of the notice of judgment with Exhibits A and B attached 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) 交付此传票和判决通知连同所附物证A和B。(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 certified mail, return receipt requested. / 邮寄送达。

CERTIFICATE OF SERVICE BY ATTORNEY

律师送达证明

(for service on a party)

(用于送达诉讼一方)

I certify that I caused a copy of this notice to be served on the following persons or entities by (delivery)(mail) (_____) on this _____ day of _____, _____. / 本人证明本人已安排于_____年____月____日将此通知以(交付)(邮寄)方式送达以下人士或单位。

(1) _____
(Name of party) / (送被达方名称)

(Address) / (地址)

(2) _____
(Name of party) / (送被达方名称)

(Address) / (地址)

Attorney for landlord / 房东律师

Signature / 签名

Date of signature

USE NOTE/使用说明

1. *A writ of restitution directs the sheriff to restore the premises to the plaintiff. A copy of the writ need not be served on the lienholder unless the lienholder intervenes as a party.*

归还令状命令警长将物业归还原告。除非置留权持有人作为一方介入诉讼，否则需要将令状副本送达置留权持有人。

2. *If the lienholder is a party or has entered an appearance in the proceedings, service may be made in the manner provided by the rules of civil procedure for the service of papers on a party subsequent to service of the original pleading. See, however, Subsection J of Section 47-10-9 NMSA 1978 for statutory notice.*

如果置留权持有人为诉讼一方或出席法庭民事程序程序，送达方式可根据民事程序规定在送达原始诉讼后以

文件形式送达。

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. If service is made on a party by an attorney the signature of the attorney need not be notarized.*

如果送达由新墨西哥州警长或警官执行，警长或警官的签字无须公证。如果送达由律师送达一方，律师签字无须公证。

[Adopted effective September 2, 1997; as amended effective April 6, 1998.] / [1997年9月2日起引用生效；修订于1998年4月6日生效]