

1 date for jury selection or commencement of a bench trial that will allow the court
2 sufficient time to take action on the plea agreement or settlement agreement;

3 IT IS FURTHER ORDERED that a request for the court to approve an
4 untimely plea agreement or settlement agreement shall not be granted except upon a
5 written finding by the judge of extraordinary circumstances that excuse the untimely
6 submission of the agreement, and if the court denies a request to accept an untimely
7 plea agreement or settlement agreement, the case shall proceed to trial on the
8 scheduled date;

9 IT IS FURTHER ORDERED that notwithstanding the denial of a request to
10 accept an untimely plea agreement in a criminal case, a defendant may elect to plead
11 guilty to all charges leaving full sentencing discretion with the court or the state may
12 elect to dismiss all charges with prejudice any time before or during trial; and

13 IT IS FURTHER ORDERED that the provisions of this Emergency Court
14 Protocol shall not apply to the plea deadline provisions in local Rule LR2-308
15 NMRA or to non-attorney prosecutions in the metropolitan and magistrate courts.

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IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 31st day of March 2023.

A handwritten signature in cursive script, reading "Elizabeth A. Garcia".

Elizabeth A. Garcia, Chief Clerk of the Supreme Court
of the State of New Mexico

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