

**MOTION TO
MODIFY
TEMPORARY
ORDER
&
REQUEST FOR
HEARING**

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4A-203. Motion to modify temporary order (domestic relations actions).
[For use with Rules 1-121 and 1-122 NMRA]

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT

_____,
Petitioner,

v.

No. _____

_____,
Respondent.

MOTION TO MODIFY TEMPORARY ORDER
*(domestic relations actions)*¹

I, _____ (*name of Petitioner or Respondent*)
request the court to do the following: (*check and complete all that apply*)

- Modify paragraph _____ of the temporary domestic order as follows:

_____.
- Terminate the temporary domestic order because:

_____.
- Terminate or modify the temporary child support because:

_____.
- Modify the temporary division of income and debts of the parties because²:

_____.
- Dismiss the temporary restraining order because³:

_____.
- Terminate or modify the temporary wage withholding order because:

_____.
- Terminate or modify the temporary order establishing timesharing or visitation because:

_____.

I have tried to talk to _____ (name of the other party or the other party's attorney if represented). This is what happened: (You MUST check one of these boxes.)

- The other party AGREES with my motion.
- The other party DOES NOT AGREE with my motion.
- The other party WILL NOT TALK TO ME about my motion.
- I CANNOT TALK TO THE OTHER PARTY because there is a protective order between us and the other party does not have a lawyer.
- I HAVE NOT TALKED TO THE OTHER PARTY because:

_____.

Signature of party

Name (print)

Mailing address (print)

City, state, and zip code (print)

Telephone number

VERIFICATION OF SERVICE

I affirm under penalty of perjury under the laws of the State of New Mexico that on _____ (date), I (check the applicable item below and fill in all information)

- mailed a copy of this motion by United States mail, postage prepaid, to:
Name: _____
Mailing address: _____
City, state, and zip code: _____;
- delivered a copy of this motion to _____ (the other party or the other party's attorney); or
- faxed a copy of this motion to _____ (the other party or the other party's attorney) using the following fax number: _____.
The transmission was reported as complete and without error. The time and date of the transmission was _____ (a.m.) (p.m.) on _____ (date).

Signature of party

Date of signature

USE NOTE

1. This form may be used anywhere in this state to request the court to modify a temporary order entered by the court in a domestic relations action.

2. If a court order of temporary division of income and debts is being challenged, you must complete an Interim Monthly Income and Expenses Statement (Form 4A-212 NMRA) and file it with the court at the time you file this motion.

3. If you believe that the other party may injure you or cause some other harm to you, your children, or other household member, you may file a petition for a temporary restraining order or you may file a "Petition for Order for Protection from Domestic Abuse." *See* Form 4-961 NMRA.

[Approved, effective November 1, 2000 until November 1, 2001; approved, effective November 1, 2001; 4A-113 recompiled and amended as 4A-203 by Supreme Court Order No. 13-8300-010, effective for all pleadings and papers filed on or after May 31, 2013, in all cases pending or filed on or after May 31, 2013; as amended by Supreme Court Order No. 14-8300-011, effective for all pleadings and papers filed on or after December 31, 2014, in all cases filed or pending on or after December 31, 2014.]

**STATE OF NEW MEXICO
COUNTY OF DOÑA ANA
THIRD JUDICIAL DISTRICT COURT**

STATE OF NEW MEXICO/HSD, (if a Petitioner or Intervenor)

_____, **Petitioner,**

v. **Case No. D-307-DM-** _____
Judge: _____

_____, **Respondent.**

REQUEST FOR HEARING

(YOU MUST FILE THIS REQUEST TO GET A HEARING [COURT DATE] ABOUT YOUR MOTION)

- I NEED A HEARING ABOUT: MY MOTION TO/FOR _____
(print on this line what you asked for in your motion)
 FINALIZING MY CASE (TRIAL ON THE MERITS)
- I REQUEST INTERPRETATION SERVICES(CHECK ONE): YES NO
IF YES, PLEASE DESCRIBE WHAT YOU NEED: _____
- HOW LONG YOU THINK IT WILL TAKE TO TALK TO THE JUDGE: 15 MINUTES 30 MINUTES
 1 HOUR MORE THAN 1 HOUR
- IS THERE A HEARING ALREADY SCHEDULED IN THIS CASE: No YES - WHEN? _____
- (A, B OR C) TO CERTIFY THAT THIS REQUEST WILL BE DELIVERED TO ALL OTHER PARTIES: A - ON THE SAME DAY I FILE THIS REQUEST
 B - WITH MY MOTION
 C - WITH MY PETITION
- LIST EVERYONE IN THIS CASE SO THE COURT CAN SEND THEM A NOTICE ABOUT THE HEARING DATE:

	OTHER PARTY OR THEIR LAWYER	ME	<input type="checkbox"/> HSD (<input checked="" type="checkbox"/>)
NAME		SEE SIGNATURE BELOW	HUMAN SVCS. DEPT.
ADDRESS		USE ADDRESS BELOW	653 UTAH AVE.
CITY/STATE/ZIP		USE ADDRESS BELOW	LAS CRUCES, NM 88001
TELEPHONE		USE TELEPHONE BELOW	524-6118

(SIGN YOUR NAME) _____

(PRINT YOUR NAME) _____

(YOUR MAILING ADDRESS) _____

(CITY/STATE/ZIP) _____

(YOUR TELEPHONE) _____



WHEN YOU FILE THIS REQUEST, YOU MUST GIVE THE CLERK STAMPED LETTER ENVELOPES FOR YOU AND FOR EACH PARTY/LAWYER. THE COURT USES THE ENVELOPES TO MAIL OUT THE COURT DATE.