



**JUDICIAL FORMS OF THE
ASSOCIATED STUDENTS OF NEW
MEXICO STATE UNIVERSITY**

This manual contains the forms mentioned in the *Judicial Procedures Manual*. Please see the Table of Contents for a list of the forms in this booklet. If you need a specific form, copy and paste that form into a Word Document to edit it. The Supreme Court will keep physical copies of all signed forms in their files. Consult the *Judicial Procedures Manual* or consult with a Justice if you have any questions about filling out a form.

Table of Contents

Complaint.....4

Summons.....6

Certificate of Service.....7

Entry of Appearance.....8

Answer to Complaint.....9

Motion to for an Order to Dismiss.....11

Request for Copies.....12

Subpoena.....13

List of Witnesses.....14

Certificate as to the State of the Record.....15

Petition for Writ of Certiorari.....16

Notice of Trial.....17

Notice of Oral Arguments.....18

Brief in Chief.....19

Summary Judgement.....20

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

COMPLAINT

COMES NOW the Plaintiff(s), _____, and hereby files this complaint against Defendant(s)/Respondent(s) and for their causes of action states as follows:

PARTIES AND JURISDICTION

1. Plaintiff(s) is a student of New Mexico State University.
2. Upon information and belief Defendant(s) is a student of New Mexico State University.
3. The facts giving rise to this complaint arose at New Mexico State University.
4. Venue is proper in The Supreme Court of the Associated Students.
5. The court has jurisdiction over the parties and the matters involved.

GENERAL ALLEGATIONS

Plaintiff incorporates by reference paragraphs 1-5 above.

Insert statement of allegations. Site the specific citation of the ASNMSU Law Book that the complaint concerns. (You may add as many new paragraphs necessary to state your claim)

DAMAGES AND PRAYER FOR RELIEF

6. Plaintiff hereby incorporates by reference paragraphs 1-____ above.
7. Plaintiff seeks damages for allegations that shall be proven at trial.
8. State specific damages that are being sought.
9. Plaintiffs respectfully request this Court award any and all other relief as this Court deems appropriate.

WHEREFORE, Plaintiffs respectfully requests this Court find Defendants liable in the causes of action set forth above, and to award damages as requested.

Respectfully submitted by:

Signature of Plaintiff

Printed Name of Plaintiff

Email

Phone

Date

VERIFICATION

STATE OF NEW MEXICO

ss

County of Dona Ana

_____, being first duly sworn, upon oath states that he/she is the Petitioner in the foregoing pleading and that the statements contained herein are true to the best of his/her knowledge, information and belief.

Signature

Subscribed and sworn to me this ____ Day of _____, 20____ by _____.

(seal)

Notary Public

My commission expires:

Plaintiff/Petitioner

Vs

Case no.:
Justice:

Defendant/Respondent

SUMMONS

TO: Address to the defendant/respondent.

GREETINGS:

This summons notifies you that a complaint has been filed against you. A copy of the complaint is attached to this summons. You are required to serve and file an answer to the complaint, or a responsive pleading, within FIVE (5) DAYS AFTER THE SUMMONS HAS BEEN SERVED TO YOU. You must file the answer or responsive pleading with the Supreme Court of the Associated Students, and you must serve a copy of the answer or responsive pleading on the opposing party.

IF YOU DO NOT FILE AND SERVE AN ANSWER OR RESPONSIVE PLEADING WITHIN THE FIVE (5) DAY PERIOD, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

WITNESS Lorraine Arvizu, Program Coordinator of the Associated Students of New Mexico State University.

It is so ordered by: _____ on this the ____ day of _____, 20____.

Kayla M. Moehn
Chief Justice

Vs

Plaintiff/Petitioner

Case no.:

Justice:

Defendant/Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of The Complaint has been provided to the Defendant/Respondent, _____, by hand-delivering it on this the ____ day of _____, 20__.

Justice Signature

Defendant Signature

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

ENTRY OF APPEARANCE

COMES NOW, _____, and enters her/his appearance herein for and on behalf of the Petitioner/Respondent, _____, and requests that all further pleadings be sent to the below address.

Respectfully submitted by:

Signature of plaintiff/respondent
Printed name of plaintiff/respondent
Address
E-mail
Phone
Date

CERTIFICATE OF SERVICE

I hereby certify that I delivered a true and correct copy of the foregoing pleading to the opposing party on this ____ day of _____, 20____.

Signature of Justice

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

ANSWER TO COMPLAINT

COMES NOW the Defendant/Counter-Claimant, (hereinafter “Defendant”), _____, and files this answer to the Plaintiff’s Complaint. Setting forth their admissions, denials, affirmative defenses, and counterclaims against Plaintiff, Defendant states as follows:

ANSWER AND DENIALS

For each allegation in the initial complaint, enter either an admission, a denial or state whether you are without information and belief to either admit or deny the allegation and therefore at that time and as such deny the allegation. An Amended Complaint can be filed at a later time.

AFFIRMATIVE DEFENSES

As to all charges, state any and all defenses and please cite any statute, ordinance or rule of law that you believe justifies your defense.

COUNTERCLAIM

Comes now, the Defendant, _____, and hereby files a counterclaim in the above styled action and as grounds states:

PARTIES AND JURISDICTION

1. The Defendant is a student of New Mexico State University.
2. Upon information and belief, Plaintiff is a student of New Mexico State University.
3. The facts giving rise to the counterclaim arose at New Mexico State University.
4. Venue is proper in the Supreme Court of the Associated Students of NMSU.
5. The court has jurisdiction over the parties involved.

GENERAL ALLEGATIONS

Plaintiff incorporates by reference paragraphs 1-5 above.

Insert statement of allegations. (You may add as many new paragraphs necessary to state your claim.)

DAMAGES AND PRAYER FOR RELIEF

Defendant incorporates by reference paragraphs 1-___ above.

6. Plaintiff seeks damages for allegations that shall be proven at trial.
7. State specific damages that are being sought.
8. Plaintiffs respectfully request this Court award any and all other relief as this Court deems appropriate.

Respectfully submitted by:

Signature of plaintiff

Printed name of plaintiff

Address

E-mail

Phone

Date

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

MOTION TO DISMISS

COMES NOW, Plaintiff/Defendant, _____, and hereby moves this Court to Dismiss this matter with/without prejudice. As grounds states:

1. On _____, Plaintiff/Defendant filed a complaint.
2. Continue with reasons as needed.

WHEREFORE, Plaintiff/Defendant requests this Court to dismiss this matter with/without prejudice.

Respectfully submitted by:

Signature of plaintiff/respondent

Printed name of plaintiff/respondent

Address

E-mail

Phone

Date

CERTIFICATE OF SERVICE

I hereby certify that I delivered a true and correct copy of the foregoing pleading to the opposing party on this ___ day of _____, 20__.

Signature of Justice

_____ **Plaintiff/Petitioner**

Vs

Case no.:

Justice:

_____ **Defendant/Respondent**

REQUEST FOR COPIES

Specific Documents to be copied:

Justice Assigned:

Date of Court Hearing/Trial:

Requested By:

For:

Phone:

Number of copies requested:

Endorsed Copy: yes no

TO BE COMPLETED BY AUTHORIZED JUSTICE

Document: _____

Date Copied: _____

Date Delivered: _____

Approved: _____

Justice (Name)

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

SUBPOENA

SUBPOENA FOR:

PERSON

DOCUMENT(S)

OBJECT(S)

TO: Address to the Plaintiff or Defendant

YOU ARE HEREBY ORDERED to appear before the ASNMSU SUPREME COURT at the place, on the date and time specified below, and, when so ordered, to bring the following documents listed for review:

PLACE	TIME	DATE
-------	------	------

YOU ARE ALSO ORDERED to bring with you the following document(s) or object(s):

WITNESS Lorraine Arvizu, Program Coordinator of the Associated Students of New Mexico State University.

It is so ordered by: _____ on this the ___ day of _____, 20__.
Justice (Name)

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

LIST OF WITNESS

COMES NOW, The Plaintiff/Defendant, _____, and hereby give notice that he/she intends to call the following witnesses at trial:

1. Name of Witnesses, Contact information
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
9. Any and all witnesses listed in the opposing parties witness list.
10. Any and all witnesses named in reports and/or statements.

Respectfully submitted by:

Signature of plaintiff/respondent
Printed name of plaintiff/respondent
Address
E-mail
Phone
Date

CERTIFICATE OF SERVICE

I hereby certify that I delivered a true and correct copy of the foregoing pleading to the opposing party on this ____ day of _____, 20____.

Signature of Justice
Justice (Name)

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

CERTIFICATE AS TO THE STATE OF THE RECORD

I, the undersigned, Chief Justice of the Supreme Court of the Associated Students of New Mexico State University, do hereby certify that a Complaint was filed in the above-entitled cause in my office on _____ and the Return of Service that was filed on _____ indicates that process was served to _____, at the following location: _____ on _____.

I further certify that no answer to the Complaint, or other responsive pleading for the Respondent has been filed in my office or of record.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Court this ____ day of _____, 20____.

THE SUPREME COURT OF ASNMSU

Kayla M. Moehn, Chief Justice

Date

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

PETITION FOR WRIT OF CERTIORARI

COMES NOW the Petitioner(s), _____, and hereby files this Request for Writ of Certiorari against Respondents and for their causes of action, and states as follows:

PARTIES AND JURISDICTION

1. Plaintiff is a student of New Mexico State University.
2. Upon information and belief, the Defendant is a student of New Mexico State University.
3. The facts giving rise to this complaint arose at New Mexico State University.
4. Venue is proper in the Supreme Court of the Associated Students of NMSU.
5. The court has jurisdiction over the parties involved.

GENERAL ALLEGATIONS

Insert statement of allegations. Site the specific citation of the ASNMSU Law Book that the complaint concerns. (You may add as many new paragraphs necessary to state your claim.)

REQUESTED ACTION

6. Petitioner seeks damages for allegations that shall be proven at trial.
7. State specific damages that are being sought.
8. Petitioner respectfully request this Court award any and all other relief as this Court deems appropriate.

WHEREFORE, Petitioner(s) respectfully requests this Court find Respondent(s) liable in the causes of actions set forth above, and to award damages as requested.

Respectfully submitted by:

Signature of petitioner

Printed name of Petitioner

Address

E-mail

Phone

Date

NOTICE OF TRIAL

Plaintiff:

Case Number:
SCR-

V.

Justice Presiding:
Chief Justice Kayla M. Moehn

Defendant:

Date of Hearing:

Place of Hearing:

Time of Hearing:

NOTICE OF ORAL ARGUMENTS

Plaintiff:

Case Number:
SCR-

V.

Justice Presiding:
Chief Justice Kayla M. Moehn

Defendant:

Date of Hearing:

Place of Hearing:

Time of Hearing:

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

BRIEF IN CHIEF

A STATEMENT OF THE ISSUES

The plaintiff or the defendant will write an introduction as to the issue that arose, regarding the original complaint. (You may add as many paragraphs necessary to state the claim)

THE DEVELOPMENT OF THE ISSUE

The plaintiff/defendant will explain in detail the facts giving rise to the complaint that has been filled. (The plaintiff/defendant will incorporate by citation specific sections of the ASNMSU Law Book that support its statement)

STATEMENT OF THE RELIEF SOUGHT

The plaintiff/defendant respectfully requests the Court award the following relief according to the previous stated statements. (You may add as many paragraphs necessary to state the relief sought)

Respectfully submitted by:

Signature of Plaintiff/Defendant
Printed Name of Plaintiff/Defendant

Email

Phone

Date

Plaintiff/Petitioner

Vs

Case no.:

Justice:

Defendant/Respondent

SUMMARY JUDGMENT

BACKGROUND AND SUMMARY OF THE ARGUMENT

The plaintiff or the defendant will explain in detail the facts giving rise to the case. (You may add as many paragraphs necessary to state the claim)

DISCOVERY STATEMENT

The plaintiff/defendant respectfully requests the Court to consider the stated facts and awards the following request according to the previous stated statements. (You may add as many paragraphs necessary to state the relief sought)

ARGUMENTS IN SUPPORT OF AFFIRMATIVE SUMMARY JUDGMENT

The plaintiff/defendant will explain in detail the facts that support their request for summary judgment. (The plaintiff/defendant will incorporate by citation specific sections of the ASNMSU Law Book that support its statement)

Respectfully submitted by:

Signature of Plaintiff/Defendant
Printed Name of Plaintiff/Defendant
Email
Phone
Date