

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **May 2, 2024**

3 **NO. 24-8110**

4
5 **IN THE MATTER OF THE ESTABLISHMENT**
6 **OF A STRUCTURE FOR THE ASSIGNMENT OF**
7 **JUDGES FOR ELECTION CONTESTS AND OTHER**
8 **JUDICIAL PROCEEDINGS UNDER THE ELECTION**
9 **CODE FOR 2024 PRIMARY AND GENERAL ELECTIONS**
10 **IN NEW MEXICO**

11
12 **ORDER**

13 WHEREAS, the Election Code requires the assignment of district judges to
14 hear election contests and preside over other post-election proceedings;

15 WHEREAS, the upcoming primary and general elections may require the
16 Judiciary to resolve election contests and preside over other proceedings initiated
17 under the Election Code;

18 WHEREAS, the public business requires the expeditious disposition of
19 election contests and other Election Code proceedings that may arise as a result of
20 the upcoming general election; and

21 WHEREAS, in accordance with this Court's superintending control over the
22 Judiciary under the Constitution of the State of New Mexico, N.M. Const. art. VI,
23 § 3, and the authority of the Chief Justice to designate district judges under N.M.
24 Const. art. VI, § 15, when the public business requires, the Court, on its own motion,
25 having considered the foregoing and being otherwise sufficiently advised, Chief

1 Justice David K. Thomson, Justice Michael E. Vigil, Justice C. Shannon Bacon,
2 Justice Julie J. Vargas, and Justice Briana H. Zamora concurring;

3 NOW, THEREFORE, IT IS ORDERED that the following district judges
4 hereby are DESIGNATED to preside as “Election Judges” over election contests
5 that may be filed under Rule 1-087 NMRA and NMSA 1978, § 1-14-3 (1971), ballot
6 impoundment proceedings that may be filed under NMSA 1978, § 1-14-9 (1971),
7 recount or recheck proceedings that may be filed under NMSA 1978, § 1-14-14(C)
8 (2009), mandamus proceedings that may be filed under NMSA 1978, § 1-14-21
9 (1977), and ballot image review proceedings under NMSA 1978, § 1-14-21 (2019),
10 in each county in New Mexico as assigned in the discretion of the chief judge in
11 their respective judicial districts:

12 First Judicial District Court

13
14 Los Alamos County Hon. T. Glenn Ellington
15 Hon. Jason Lidyard

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17 Rio Arriba County Hon. T. Glenn Ellington
18 Hon. Jason Lidyard

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20 Santa Fe County Hon. T. Glenn Ellington
21 Hon. Jason Lidyard

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23 Second Judicial District Court

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25 Bernalillo County Hon. Joshua Allison
26 Hon. Erin O’Connell
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1	Third Judicial District Court	
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3	Dona Ana County	Hon. Manuel I. Arrieta
4		Hon. Rebecca Duffin
5		Hon. Casey Fitch
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7	Fourth Judicial District Court	
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9	Guadalupe County	Hon. Abigail Aragon
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11	Mora County	Hon. Abigail Aragon
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13	San Miguel County	Hon. Abigail Aragon
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15	Fifth Judicial District Court	
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17	Chaves County	Hon. Dustin Hunter
18		Hon. Jared Kallunki
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20	Eddy County	Hon. Jane Shuler-Gray
21		Hon. Lisa Riley
22		
23	Lea County	Hon. Lee A. Kirksey
24		Hon. Michael Stone
25		
26	Sixth Judicial District Court	
27		
28	Grant County	Hon. Thomas Stewart
29		Hon. Jarod Hofacket
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31	Hidalgo County	Hon. Jarod Hofacket
32		Hon. Jennifer DeLaney
33		
34	Luna County	Hon. Jennifer DeLaney
35		Hon. Jarod Hofacket
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37	Seventh Judicial District Court	
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39	Catron County	Hon. Mercedes C. Murphy
40		Hon. Shannon Murdock-Poff

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Sierra County	Hon. Roscoe Woods Hon. Mercedes C. Murphy
Socorro County	Hon. Mercedes C. Murphy Hon. Shannon Murdock-Poff
Torrance County	Hon. Shannon Murdock-Poff Hon. Roscoe Woods
Eighth Judicial District Court	
Colfax County	Hon. Steven A. Romero Hon. Jeffrey Shannon Hon. Emilio Chavez
Taos County	Hon. Emilio Chavez Hon. Jeffrey Shannon Hon. Steven A. Romero
Union County	Hon. Steven A. Romero Hon. Jeffrey Shannon Hon. Emilio Chavez
Ninth Judicial District Court	
Curry County	Hon. Fred Van Soelen Hon. Benjamin S. Cross Hon. Donna J. Mowrer
Roosevelt County	Hon. Donna J. Mowrer Hon. Benjamin S. Cross Hon. Fred Van Soelen
Tenth Judicial District Court	
De Baca County	Hon. Timothy Rose
Harding County	Hon. Timothy Rose
Quay County	Hon. Timothy Rose

1 Eleventh Judicial District Court

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3 McKinley County Hon. R. David Pederson

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6 San Juan County Hon. Curtis Gurley

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9 Twelfth Judicial District Court

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11 Lincoln County Hon. Daniel A. Bryant
12 Hon. John Sugg

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14 Otero County Hon. John Sugg
15 Hon. Daniel A. Bryant

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17 Thirteenth Judicial District Court

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19 Cibola County Hon. Amanda Sanchez Villalobos
20 Hon. George P. Eichwald

21
22 Sandoval County Hon. James A. Noel
23 Hon. Allison P. Martinez

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25 Valencia County Hon. Cindy M. Mercer
26 Hon. James L. Sanchez

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28 IT IS FURTHER ORDERED that, except for the Election Code proceedings
29 encompassed by the preceding paragraph of this order, the chief judge in each
30 judicial district shall appoint district judges to carry out other election day, election
31 night, and post-election duties required of judges under the Election Code;

32 IT IS FURTHER ORDERED that any district judge designated under this
33 order who is assigned to preside over an election contest or other Election Code
34 proceeding concerning or affecting a retention or contested election for that judge's

1 position shall recuse from presiding in the matter, and the Chief Justice shall
2 designate another judge to preside over the matter;

3 IT IS FURTHER ORDERED that any district judge appointed by a chief
4 judge under this order to carry out election day, election night, and post-election
5 judicial duties shall not designate any other person to serve in the judge's place
6 unless otherwise provided in the Election Code;

7 IT IS FURTHER ORDERED that any mandamus proceedings that may be
8 filed under NMSA 1978, § 1-14-21 (1977), may be filed in the district court or the
9 Supreme Court, as appropriate, but shall not be filed in the New Mexico Court of
10 Appeals; and

11 IT IS FURTHER ORDERED that the Election Judges designated in this order
12 are not subject to the exercise of preemptory excusals notwithstanding the
13 provisions in NMSA 1978, § 1-14-7 (1969), and Rule 1-087(E) NMRA.

14 IT IS SO ORDERED.



WITNESS, the Honorable David K. Thomson, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 2nd day of May, 2024.

A handwritten signature in blue ink, appearing to read "Elizabeth A. Garcia". The signature is written over a horizontal line that separates the signature from the printed name below it.

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

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