

NO. _____

STATE OF	New Mexico	§	COURT OF	7 th District
COUNTY OF	Bernalillo	§		
IN THE MATTER OF	Sue Matthews	§		
		§		
D.O.B.	01-13-1988	§		

**PETITION FOR HEARING ON REQUISITION FOR
RUNAWAY JUVENILE**

TO THE HONORABLE Thomas Hall:

NOW COMES the State of New Mexico by and through the Compact Administrator
(holding/asylum state)

and moves this Court to set a hearing and enter an order for the apprehension and confinement of

Sue Matthews pending his/her transfer to Texas pursuant to
(name of juvenile) (home state)

Article IV of the Interstate Compact on Juveniles ("ICJ"), and the NMSA 32A-10-A, and
(holding/asylum state's statute)

would show as follows:

I.

JURISDICTION AND VENUE

This Petition for Hearing seeks the apprehension and confinement pending transfer of

Sue Matthews to Texas, pursuant to Article IV of the Interstate Compact
(name of juvenile) (home state)

on Juveniles ("ICJ"), the NMSA 32A-10-A, and Rule § 1546 Chapter 4
(holding/asylum state's statute)

of the Administrative Code, NMAC 4795 if applicable. The State by this Petition seeks the entry
(holding/asylum state's administrative code)

of a Court Order finding in favor of the Requisition for Runaway Juvenile filed by the State of

Texas under the ICJ.
(home state)

Venue is proper in this Court because the juvenile, Sue Matthews: (check one) 1. has
(name of juvenile)

been found/located in _____ County/Parish with his/her _____,
(relationship)

_____ or 2. has been picked up for his/her own protection and welfare and
(name)

is being held in secure detention in this county/parish pending receipt of this requisition from

Texas.
(home state)

II.

SERVICE OF PROCESS

Defendant Sue Matthews, a minor, can be served with citation by advising juvenile and guardian ad litem, if appointed, while juvenile is in juvenile detention.

III.

STATEMENT OF FACTS

Both New Mexico and Texas have adopted the Interstate Compact on Juveniles ("ICJ"). See NMSA 32A-10-1; and TFC 3-60.

Under Article IV of the ICJ, the "parent, guardian, person, or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian, person, or agency may petition the appropriate court in the demanding state for the issuance of a requisition for his return...if the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present to the appropriate court of the state where the juvenile is alleged to be located a written requisition for the return of such juvenile...Upon receipt of a requisition demanding the return of a juvenile who has run away, the court shall issue an order to any such peace officer or appropriate person directing him to take into custody and detain such juvenile...If the judge of such court shall find that the requisition is in order, he shall deliver such juvenile over to the officer whom the court demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding."

In the instant case, Sue Matthews, a juvenile, was not given permission by his/her custodial parent/legal guardian to leave home. This Court may hold a hearing to determine the "legality of the proceeding" and to ensure that the request from Texas, is "in order." In the instant case, the legality of Texas' request for the return of the juvenile is not in question, and therefore this Court should issue an Order for the return of the juvenile, Sue Matthews.

Respectfully submitted,

(Signature)
(Name)
(Title)