

ENDORSED

FILED IN MY OFFICE
DISTRICT COURT CLERK

STATE OF NEW MEXICO
COUNTY OF CIBOLA
THIRTEENTH JUDICIAL DISTRICT COURT

2019 NOV -5 AM 10: 20

TOINETTE GARCIA

IN RE THE DESIGNATION AND
CHANGE OF POLLING PLACE FOR
CIBOLA COUNTY FROM THE MESITA FACILITY,
PRECINCT 21, TO THE MESITA
RECREATION HALL, 1 PROSPERITY RD,
MESITA, NM 87026

BY _____ DEPUTY

D1333 CV201900349
Case No. _____

PETITION TO ALLOW CHANGE OF POLLING PLACE

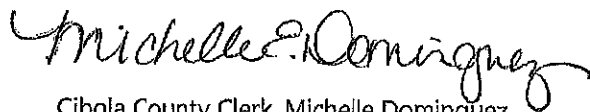
COMES NOW, Michelle E. Dominguez, County Clerk for Cibola County, requests an order allowing a change in the polling place for Precinct 21 for the Local Election on November 5, 2019. In support of this motion petitioner states the following:

1. NMSA 1978 1-3-7(B) (2017) provides that "The Board of County Commissioners shall designate as the polling place or places, as the case may be, in each precinct, other than a mail ballot election precinct, the most convenient and suitable public building or public school building in the precinct that can be obtained."
2. However, NMSA 1978 1-3-5 (2017) states that "No precinct shall be created, divided, abolished or consolidated or the boundaries or polling place therein changed less than four months prior to each election, except by order of the district court."
3. The polling place for Precinct 21 in Cibola County, was scheduled to be at Mesita Facility.
4. This polling place cannot be used for the upcoming Local Election due to no heat in the building.
5. The most convenient and suitable building that can be obtained in Precinct 21 for the Local Election is the Mesita Recreation Hall, 1 Prosperity Rd, Mesita, NM 87026.
6. The Cibola County Board of Commissioners, by Resolution has designated the Mesita Facility, 1 Industrial Parkway Loop, Mesita, NM 87026 as the polling place for the Local Election on November 5, 2019, pending approval by this Honorable Court.

WHEREFORE Petitioner respectfully requests the Court enter an Order:

1. Relocating the polling place for Precinct 21 from the Mesita Facility to the Mesita Recreation Hall, 1 Prosperity Rd, Mesita, NM 87026 for the Local Election on November 5, 2019.
2. Asking the Board of Cibola County Commissioners to send a certified copy of the Order to the New Mexico Secretary of State and to the County Chairman of each major political parties as soon as practicable;
3. Providing written notice to the Secretary of State and to the County Chairman of each of the major political parties as soon as possible;
4. That the County Commission shall publish the Order once in a newspaper as provided in the Election code under NMSA 1-3-8 (2017) and NMSA 1-1-14 (2017) as soon as practicable;
5. To post this Order in a safe and conspicuous location in English and Spanish or any language as required at the prior polling location and at the new polling place;
6. To post this Order in a prominent location in the community in English, Spanish, or any other language as required; and
7. To contact a local radio station and newspaper and inform them of this Order.

Respectfully submitted,



Cibola County Clerk, Michelle Dominguez

700 E. Roosevelt Ave., Suite 50

Grants, NM 87020

STATE OF NEW MEXICO
COUNTY OF CIBOLA
THIRTEENTH JUDICIAL DISTRICT COURT

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ENDORSED

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CHANGE OF POLLING PLACE FOR
CIBOLA COUNTY FROM THE MESITA FACILITY,
PRECINCT 21, TO THE MESITA
RECREATION HALL, 1 PROSPERITY RD,
MESITA, NM 87026

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ORDER APPROVING PETITION TO ALLOW CHANGE OF POLLING PLACE

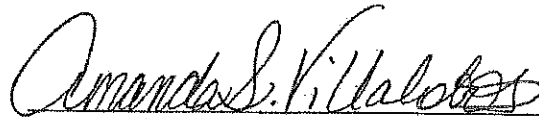
THIS MATTER having come before the Court on the Cibola County Clerk's Petition to Allow Change of Polling Place and the Court being otherwise fully advised in premises FINDS as follows:

1. The polling place that was scheduled for Precinct 21 Mesita Facility will be not be used due to no heat and cannot be used as a polling place for the Local Election on November 5, 2019.
2. The most convenient and suitable building that can be obtained in Precinct 21 for the Local Election is the Mesita Recreation Hall, 1 Prosperity Rd, Mesita, NM 87026.
3. Mesita Facility was designated as the polling place for Precinct 21 for the upcoming Local Election on November 5, 2019 by Resolution No. 18-32 (2018) of the Board of County Commissioners on April 30, 2018.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. The polling place for Precinct 21 shall be relocated from Mesita Facility to the Mesita Recreation Hall, 1 Prosperity Rd, Mesita, NM 87026 for the upcoming Local Election on November 5, 2019.
2. The Board of County Commissioners shall send a certified copy of this Order to the New Mexico Secretary of State and to the County Chairman of each of the major political parties as soon as practicable;

3. That the County Commission shall publish this Order once in a newspaper as provided in the Election Code under NMSA 1-3-8 and NMSA 1-1-14 (2017) as soon as practicable;
4. The County Clerk shall post this Order in a safe and conspicuous location in English and Spanish or any language as required at the prior polling location and at the new polling place;
5. The Cibola County Clerk shall post this Order in a prominent location in the community in English, Spanish, or any language as required; and
6. The Cibola County Clerk shall contact a local radio station and newspaper and inform them of this Order.



THE HONORABLE AMANDA SANCHEZ-VILLALOBOS
13TH JUDICIAL DISTRICT COURT