

A. MICHIE'S NEW MEXICO STATUTES ANNOTATED Rules of Criminal Procedure for the District Courts ARTICLE 4
Release Provisions RULE 5-406.

- Bail bonds; exoneration; forfeiture.
- Exoneration of bond. Unless otherwise ordered for good cause, a bond shall only be automatically exonerated:
 1. after twelve (12) months if the crime is a felony and no charges have been filed in the district court;
 2. after six (6) months if the crime is a misdemeanor or petty misdemeanor and no charges have been filed;
 3. at any time prior to entry of a judgment of default on the bond if the district attorney approves; or
 4. upon surrender of the defendant to the court by an unpaid surety.
- Surrender of an offender by a paid surety. A person who is released upon execution of a bail bond by a paid surety may be arrested by the paid surety if the court has revoked the defendant's conditions of release pursuant to Rule 5-403 or if the court has declared a forfeiture of the bond pursuant to the provisions of this rule. If the paid surety delivers the defendant to the court prior to the entry of a judgment of default on the bond, the court may absolve the bondsman of responsibility to pay all or part of the bond.