



# Doña Ana County

LYNN J. ELLINS - County Clerk

845 N. Motel Blvd., Room 1-200 • Las Cruces, New Mexico 88007 • (575) 647-7421

March 22, 2012

Mr. Keith E. LaMonica  
1009 Cedardale Drive  
Las Cruces, NM 88005

Re: Magistrate Candidacy

Dear Mr. LaMonica:

On your Declaration of Candidacy for the Third District, filed in this office on March 20, 2012, you stated that "I will be eligible and legally qualified to hold this office at the beginning of its term," as required by the Election Code, Section 1-8-28 NMSA.

Chapter 35, Article 1, Section 35-2-1 NMSA, Magistrate Court; Qualifications, states as follows:

"In magistrate districts with a population of more than two hundred thousand persons in the last federal decennial census, no person is eligible for election or appointment to the office of magistrate unless he is a member of the bar of this state and licensed to practice law in this state, but he shall not engage in the private practice of law during his tenure in office."

As of the last census, Doña Ana County's population now stands at 209,233 persons. Accordingly, In order to determine if your candidacy qualifies for placement on the 2012 Primary Election ballot, please advise me in writing by no later than Monday, March 26, 2012 as to whether or not you are presently a member of the New Mexico state bar and licensed to practice in this state, or will be so as of the date of the beginning of the upcoming term of office. An e-mail response will be accepted.

If you reply in the negative this office will be unable to qualify you for the Primary Election ballot. Likewise, failing a response to this letter I will assume that you are not a member of the bar and not licensed to practice in this state, and thus not qualified for placement on the ballot.

Very truly yours,

Lynn J. Ellins  
Doña Ana County Clerk