

STATE OF NEW MEXICO

COUNTY OF SANTA FE

FIRST JUDICIAL DISTRICT COURT

No. D-101-CV-2011-02942

BRIAN F. EGOLF, JR., HAKIM BELLAMY, MEL HOLGUIN,
MAURILIO CASTRO and ROXANE SPRUCE BLY,

Plaintiffs,

vs.

DIANNA J. DURAN, in her official capacity as New Mexico
Secretary of State, SUSANA MARTINEZ, in her official capacity
as New Mexico Governor, JOHN A. SANCHEZ, in his official
capacity as New Mexico Lieutenant Governor and presiding
officer of the New Mexico Senate, TIMOTHY Z. JENNINGS, in
his official capacity as President Pro-Tempore of the New Mexico
Senate, and BEN LUJAN SR., in his official capacity as Speaker
of the New Mexico House of Representatives,

Defendants.

- Consolidated with -

CAUSE NO. D-101-CV-2011-02944
CAUSE NO. D-101-CV-2011-02945
CAUSE NO. D-101-CV-2011-03016
CAUSE NO. D-101-CV-2011-03099
CAUSE NO. D-101-CV-2011-03107
CAUSE NO. D-202-CV-2011-09600
CAUSE NO. D-506-CV-2011-00913

JUDGMENT AND FINAL ORDER
(State House of Representatives Trial)

THIS MATTER having come before the Court for an evidentiary hearing regarding the creation of districts for the New Mexico House of Representatives ("House"), and the Court having heard the testimony of witnesses, argument of counsel, having reviewed the evidence, the

pleadings, and the briefing submitted by the parties, having entered Findings of Fact and Conclusions of Law on January 3, 2012, and being otherwise fully advised in the premises, FINDS that:

1. The current New Mexico House of Representatives districts, adopted in *Jepsen v. Vigil-Giron*, D-0101-CV-2001-02177 (N.M. 1st Jud. Dist. January 8, 2002), are malapportioned and are therefore unconstitutional;

2. The Executive Alternate Plan 3, as submitted by the State Executive Defendants on December 21, 2011 and as modified below, shall be immediately adopted as the New Mexico House of Representatives districts. Executive Alternate Plan 3, which at the invitation of the Court incorporates the Multi-Tribal Plaintiffs' and the Navajo Nation Intervenors' Plans, is modified to move Bernalillo County precinct 567 from District 65 to District 31 consistent with the Multi-Tribal Plaintiffs' map and the Navajo Intervenors' final position, and to move Rio Arriba County precincts 1 and 38 from House District 40 to House District 41 and Rio Arriba County precincts 41 and 3 from House District 41 to House District 40 in order to reunite the majority of the members of Ohkay Owingeh Pueblo in District 40; and

3. Precinct designations and boundaries used in this order are those precinct designations and boundaries established in accordance with law and approved by the Secretary of State as of August 31, 2011 for use in the 2011 redistricting process.

IT IS ORDERED AND ADJUDGED:

That the seventy New Mexico House of Representatives districts are revised as set forth below, the boundaries of which are defined using the following county and precinct designations:

REPRESENTATIVE DISTRICT ONE.--Representative district one is composed of San Juan county precincts 28, 29, 31 through 34, 39, 41, 42, 44, 46 through 49, 57 through 59 and 67.

REPRESENTATIVE DISTRICT TWO.--Representative district two is composed of San Juan county precincts 35 through 38, 40, 43, 45, 50 through 56 and 70.

REPRESENTATIVE DISTRICT THREE.--Representative district three is composed of San Juan county precincts 60 through 66, 68, 69 and 71 through 77.

REPRESENTATIVE DISTRICT FOUR.--Representative district four is composed of San Juan county precincts 1 through 7, 20 through 27 and 30.

REPRESENTATIVE DISTRICT FIVE.--Representative district five is composed of McKinley county precincts 5, 7 through 10, 13, 19, 23, 35, 36, 43, 44, 46 through 49, 55 and 56; and San Juan county precincts 10 through 14, 17 and 18.

REPRESENTATIVE DISTRICT SIX.--Representative district six is composed of Cibola county precincts 1, 5, 7, 8 and 13 through 15; and McKinley county precincts 15, 17, 18, 24 through 30 and 52 through 54.

REPRESENTATIVE DISTRICT SEVEN.--Representative district seven is composed of Valencia county precincts 5, 6, 8, 10, 14 through 16, 21, 22, 24, 28, 32, 34 and 36.

REPRESENTATIVE DISTRICT EIGHT.--Representative district eight is composed of Valencia county precincts 1 through 4, 7, 9, 11, 12, 18, 19, 23, 25, 26, 31, 35, 37, 40 and 41.

REPRESENTATIVE DISTRICT NINE.--Representative district nine is composed of McKinley county precincts 1 through 4, 6, 20 through 22, 31 through 34, 37 through 42, 45, 50 and 57 through 59; and San Juan county precincts 8 and 9.

REPRESENTATIVE DISTRICT TEN.--Representative district ten is composed of Bernalillo county precincts 90 through 92, 94 through 99, 103 through 106, 144, 257, 258 and 278.

REPRESENTATIVE DISTRICT ELEVEN.--Representative district eleven is composed of Bernalillo county precincts 121 through 125, 131 through 133, 150 through 154, 161 through 166, 185 through 187, 196, 197, 211, 212, 217 and 221.

REPRESENTATIVE DISTRICT TWELVE.--Representative district twelve is composed of Bernalillo county precincts 43, 44, 49, 71 through 77, 139, 142 and 143.

REPRESENTATIVE DISTRICT THIRTEEN.--Representative district thirteen is composed of Bernalillo county precincts 41, 42, 52 through 54, 59, 60, 138, 140 and 141.

REPRESENTATIVE DISTRICT FOURTEEN.--Representative district fourteen is composed of Bernalillo county precincts 32, 33, 45 through 48, 50, 51, 61 through 67, 109, 135 and 225.

REPRESENTATIVE DISTRICT FIFTEEN.--Representative district fifteen is composed of Bernalillo county precincts 4 through 10, 12, 13, 83, 86, 108, 418, 419, 422, 423, 448 and 601.

REPRESENTATIVE DISTRICT SIXTEEN.--Representative district sixteen is composed of Bernalillo county precincts 21 through 23, 25 through 30 and 35 through 40.

REPRESENTATIVE DISTRICT SEVENTEEN.--Representative district seventeen is composed of Bernalillo county precincts 11, 14 through 18, 180 through 184, 191 through 195, 347, 410, 438 and 455.

REPRESENTATIVE DISTRICT EIGHTEEN.--Representative district eighteen is composed of Bernalillo county precincts 101, 102, 107, 214 through 216, 223, 224, 226, 241 through 246, 251 through 253, 341 through 346, 351, 352 and 354 through 358.

REPRESENTATIVE DISTRICT NINETEEN.--Representative district nineteen is composed of Bernalillo county precincts 254 through 256, 271 through 275, 281 through 285, 287, 311, 312, 315, 317, 321 through 323, 353 and 381 through 385.

REPRESENTATIVE DISTRICT TWENTY.--Representative district twenty is composed of Bernalillo county precincts 289, 290, 294 through 296, 299, 301 through 304, 324, 328, 331 through 333, 550, 552, 554, 555, 571 and 572.

REPRESENTATIVE DISTRICT TWENTY-ONE.--Representative district twenty-one is composed of Bernalillo county precincts 286, 291 through 293, 297, 318, 326, 327, 329, 330, 477 and 478.

REPRESENTATIVE DISTRICT TWENTY-TWO.--Representative district twenty-two is composed of Bernalillo county precincts 527, 553, 556 through 559, 566, 570, 573 and 603; Sandoval county precincts 5, 6, 28, 55, 56 and 76; and Santa Fe county precincts 15, 73 and 84.

REPRESENTATIVE DISTRICT TWENTY-THREE.--Representative district twenty-three is composed of Bernalillo county precincts 3, 20, 78, 84, 110, 111, 114 and 171; and Sandoval county precincts 11 through 13, 32, 33, 54 and 57.

REPRESENTATIVE DISTRICT TWENTY-FOUR.--Representative district twenty-four is composed of Bernalillo county precincts 414, 415, 461 through 466, 471 through 473, 480, 502 through 506, 516 through 519, 521, 522, 524, 525 and 531 through 535.

REPRESENTATIVE DISTRICT TWENTY-FIVE.--Representative district twenty-five is composed of Bernalillo county precincts 313, 314, 371 through 375, 386, 387, 401 through 403, 411 through 413, 416, 417, 431 through 437, 441 through 446, 491 through 493 and 497.

REPRESENTATIVE DISTRICT TWENTY-SIX.--Representative district twenty-six is composed of Bernalillo county precincts 34, 55, 56, 58, 70, 88, 119, 120, 136 and 137.

REPRESENTATIVE DISTRICT TWENTY-SEVEN.--Representative district twenty-seven is composed of Bernalillo county precincts 407, 420, 421, 424 through 427, 447, 456, 485 through 490, 500, 510 and 568.

REPRESENTATIVE DISTRICT TWENTY-EIGHT.--Representative district twenty-eight is composed of Bernalillo county precincts 298, 300, 305 through 308, 316, 474 through 476, 526, 530, 536, 540, 542 through 549, 561, 564 and 565.

REPRESENTATIVE DISTRICT TWENTY-NINE.--Representative district twenty-nine is composed of Bernalillo county precincts 1, 24, 57, 80, 81, 115, 117, 118, 127, 128 and 134.

REPRESENTATIVE DISTRICT THIRTY.--Representative district thirty is composed of Bernalillo county precincts 400, 404 through 406, 408, 409, 439, 440, 453, 481, 482, 484, 494 through 496, 498, 499, 507 through 509, 511 through 513, 523 and 529.

REPRESENTATIVE DISTRICT THIRTY-ONE.--Representative district thirty-one is composed of Bernalillo county precincts 428 through 430, 449 through 452, 454, 483, 514, 515, 520, 528, 537 through 539, 541, 560, 562, 563, 567, 569 and 602.

REPRESENTATIVE DISTRICT THIRTY-TWO.--Representative district thirty-two is composed of Dona Ana county precincts 3, 4, 19, 21, 38, 60, 63, 100, 107, 111 and 115; and Luna county precincts 2, 3, 6, 8, 10 and 11.

REPRESENTATIVE DISTRICT THIRTY-THREE.--Representative district thirty-three is composed of Dona Ana county precincts 18, 39, 40, 45 through 53, 55 through 58, 72, 78, 98, 101 and 108.

REPRESENTATIVE DISTRICT THIRTY-FOUR.--Representative district thirty-four is composed of Dona Ana county precincts 13 through 17, 79, 82, 96 and 97.

REPRESENTATIVE DISTRICT THIRTY-FIVE.--Representative district thirty-five is composed of Dona Ana county precincts 20, 24, 26 through 30, 32, 35 through 37, 41 through 44, 83, 84, 89, 91, 92, 99 and 109.

REPRESENTATIVE DISTRICT THIRTY-SIX.--Representative district thirty-six is composed of Dona Ana county precincts 1, 2, 22, 23, 25, 31, 65, 85 through 88, 90, 95, 105 and 117 through 119.

REPRESENTATIVE DISTRICT THIRTY-SEVEN.--Representative district thirty-seven is composed of Dona Ana county precincts 33, 34, 59, 61, 62, 67 through 71, 93, 94, 102, 103, 106, 112, 113 and 116.

REPRESENTATIVE DISTRICT THIRTY-EIGHT.--Representative district thirty-eight is composed of Grant county precincts 1 through 7, 10 through 16, 18, 20 through 22 and 35; and Sierra county.

REPRESENTATIVE DISTRICT THIRTY-NINE.--Representative district thirty-nine is composed of Grant county precincts 8, 9, 17, 19 and 23 through 34; Hidalgo county; and Luna county precincts 1, 4, 5 and 12 through 14.

REPRESENTATIVE DISTRICT FORTY.--Representative district forty is composed of Colfax county; Mora county; and Rio Arriba county precincts 2, 3, 5, 6, 13 through 17, 37 and 41.

REPRESENTATIVE DISTRICT FORTY-ONE.--Representative district forty-one is composed of Rio Arriba county precincts 1, 4, 7 through 12, 18 through 23, 26 through 28, 31 through 36 and 38 through 40, and 42; and Taos county precincts 1, 9, 22 and 23.

REPRESENTATIVE DISTRICT FORTY-TWO.--Representative district forty-two is composed of Taos county precincts 2 through 8, 10 through 21 and 24 through 36.

REPRESENTATIVE DISTRICT FORTY-THREE.--Representative district forty-three is composed of Los Alamos county; Rio Arriba county precincts 25 and 30; Sandoval county

precincts 7, 16 through 18, 21 through 23, 51, 78 and 79; and Santa Fe county precincts 12 and 80.

REPRESENTATIVE DISTRICT FORTY-FOUR.--Representative district forty-four is composed of Sandoval county precincts 34 through 39, 50, 52, 53, 58 through 61, 64, 73, 74, 82 and 83.

REPRESENTATIVE DISTRICT FORTY-FIVE.--Representative district forty-five is composed of Santa Fe county precincts 29, 49 through 51, 56, 62, 64, 75 through 78 and 86.

REPRESENTATIVE DISTRICT FORTY-SIX.--Representative district forty-six is composed of Santa Fe county precincts 1 through 8, 11, 20, 23, 25, 31, 34, 40, 58 through 61, 79, 82, 83 and 87.

REPRESENTATIVE DISTRICT FORTY-SEVEN.--Representative district forty-seven is composed of Santa Fe county precincts 9, 10, 13, 14, 21, 22, 28, 30, 37, 47, 48, 54, 55, 57, 68, 70, 81 and 88.

REPRESENTATIVE DISTRICT FORTY-EIGHT.--Representative district forty-eight is composed of Santa Fe county precincts 24, 26, 27, 32, 33, 35, 36, 38, 39, 41 through 46, 52, 53, 66, 67 and 74.

REPRESENTATIVE DISTRICT FORTY-NINE.--Representative district forty-nine is composed of Catron county; Socorro county precincts 1 through 14 and 16 through 26; and Valencia county precincts 17, 20, 27 and 39.

REPRESENTATIVE DISTRICT FIFTY.--Representative district fifty is composed of Bernalillo county precinct 551; Santa Fe county precincts 16 through 19, 63, 65, 69, 71, 72 and 85; Torrance county precincts 3 through 5, 10, 13 and 16; and Valencia county precincts 29, 30, 33 and 38.

REPRESENTATIVE DISTRICT FIFTY-ONE.--Representative district fifty-one is composed of Otero county precincts 15, 17 through 27, 30 through 34, 36, 37, 39 and 40.

REPRESENTATIVE DISTRICT FIFTY-TWO.--Representative district fifty-two is composed of Dona Ana county precincts 7 through 12, 54, 73, 77, 80, 81, 104, 110, 114 and 120.

REPRESENTATIVE DISTRICT FIFTY-THREE.--Representative district fifty-three is composed of Dona Ana county precincts 5, 6, 64, 66 and 74 through 76; and Otero county precincts 1, 16, 35 and 41.

REPRESENTATIVE DISTRICT FIFTY-FOUR.--Representative district fifty-four is composed of Chaves county precincts 103 and 104; Eddy county precincts 2, 3, 6 through 15, 29, 30, 34, 35 and 38 through 41; and Otero county precincts 2 through 9.

REPRESENTATIVE DISTRICT FIFTY-FIVE.--Representative district fifty-five is composed of Eddy county precincts 1, 4, 5, 16 through 21, 23, 25 through 28, 32, 33, 36, 37, 42, 44 and 45.

REPRESENTATIVE DISTRICT FIFTY-SIX.--Representative district fifty-six is composed of Lincoln county precincts 6 through 12, 18 and 21; and Otero county precincts 10 through 14, 28, 29 and 38.

REPRESENTATIVE DISTRICT FIFTY-SEVEN.--Representative district fifty-seven is composed of Sandoval county precincts 47, 63, 65 through 71, 75, 80 and 84.

REPRESENTATIVE DISTRICT FIFTY-EIGHT.--Representative district fifty-eight is composed of Chaves county precincts 24, 25, 32 through 34, 42, 43, 51, 52, 61 through 63, 71 through 73, 81, 90, 92, 94, 101 and 102.

REPRESENTATIVE DISTRICT FIFTY-NINE.--Representative district fifty-nine is composed of Chaves county precincts 9 through 13, 16, 21 through 23, 31, 35, 36, 82 through 85, 91 and 93; and Lincoln county precincts 1 through 5, 13 through 17, 19 and 20.

REPRESENTATIVE DISTRICT SIXTY.--Representative district sixty is composed of Sandoval county precincts 30, 31, 40 through 46, 48, 49, 62, 72, 81, 85 and 86.

REPRESENTATIVE DISTRICT SIXTY-ONE.--Representative district sixty-one is composed of Lea county precincts 11, 12, 14 through 17, 34 through 36, 52 through 55, 61, 62 and 71 through 74.

REPRESENTATIVE DISTRICT SIXTY-TWO.--Representative district sixty-two is composed of Lea county precincts 18, 20, 22 through 33, 41 through 44 and 51.

REPRESENTATIVE DISTRICT SIXTY-THREE.--Representative district sixty-three is composed of De Baca county; Guadalupe county; Harding county; Quay county; San Miguel county precincts 1, 2, 5 through 7, 14, 15, 17, 25 and 28; and Union county.

REPRESENTATIVE DISTRICT SIXTY-FOUR.--Representative district sixty-four is composed of Curry county precincts 1 through 4, 10 through 19, 23, 24, 29 through 32 and 34 through 37; and Roosevelt county precinct 17.

REPRESENTATIVE DISTRICT SIXTY-FIVE.--Representative district sixty-five is composed of Rio Arriba county precincts 24 and 29; San Juan county precincts 16 and 19; and Sandoval county precincts 1 through 4, 8 through 10, 14, 15, 19, 20, 24 through 27 and 29.

REPRESENTATIVE DISTRICT SIXTY-SIX.--Representative district sixty-six is composed of Chaves county precincts 1 through 7, 14, 15, 41 and 44 through 47; Lea county precincts 2, 3, 10, 13 and 21; and Roosevelt county precincts 3 through 6, 9, 10, 13, 15 and 19.

REPRESENTATIVE DISTRICT SIXTY-SEVEN.--Representative district sixty-seven is composed of Curry county precincts 5 through 9, 20 through 22, 25 through 28 and 33; and Roosevelt county precincts 1, 2, 7, 8, 11, 12, 18 and 21.

REPRESENTATIVE DISTRICT SIXTY-EIGHT.--Representative district sixty-eight is composed of Bernalillo county precincts 2, 19, 68, 69, 79, 82, 85, 87, 89, 112, 113, 116, 129 and 170.

REPRESENTATIVE DISTRICT SIXTY-NINE.--Representative district sixty-nine is composed of Bernalillo county precincts 31 and 93; Cibola county precincts 2 through 4, 6, 9 through 12 and 16 through 25; McKinley county precincts 11, 12, 14 and 16; San Juan county precinct 15; Socorro county precinct 15; and Valencia county precinct 13.

REPRESENTATIVE DISTRICT SEVENTY.--Representative district seventy is composed of San Miguel county precincts 3, 4, 8 through 13, 16, 18 through 24, 26 and 27; and Tarrant county precincts 1, 2, 6 through 9, 11, 12, 14 and 15.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that final judgment is hereby entered adjudicating all claims regarding redistricting of the seventy (70) New Mexico House of Representatives districts and there is no just reason for delay of entry of this final judgment as to those claims.

IT IS SO ORDERED.



THE HONORABLE JAMES A. HALL
DISTRICT JUDGE PRO TEMPORE

Copies to counsel of record via e-filing system.

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