

Administrative Office of the Courts

Supreme Court of New Mexico

202 E. Marcy Street
Santa Fe, NM 87501



(505) 827-4800
(505) 827-4824 (fax)

Judicial Information Division (JID)

Creating the Record Proper – District Court

Standard Operating Procedure

Version 1.3.0

Updated: (8/2022)

Creating the Record Proper

COURT / DEPARTMENT / DIVISION

District Courts

USER

Court clerks

PURPOSE

To create the Record Proper for cases that have been appealed.

INTRODUCTION

When a case is appealed to the Court of Appeals or the Supreme Court, the District Court is required to prepare the Record Proper. This Standard Operating Procedure provides the steps to create the Record Proper using the 'Record on Appeal' and the 'Create Task' functionality that is part of Odyssey Navigator.

The Record on Appeal functionality will create an 'index' and 'volumes.' The term 'index' refers to the Index document that is created by this process. It functions like a Table of Contents, listing the events tied to pleadings and the page numbers for those pleadings. The term 'volume' refers to documents that are produced using the pleadings from the case.

RELEVANT DATA STANDARDS

General	Case Specific
1.3.0 Appeals	2.0.0 Adult Criminal Data Standards
1.7.0 Forms	4.0.0 General Civil Data Standards

STEPS

1. Pull up the case that is being appealed.

SUMMARY | DETAIL | PARTIES | CHARGES | EVENTS | SERVICE | HEARINGS | CONDITIONS | NOTES | DISPOSITION | TIME STES | FINANCIAL

D-911-CR-2009-00089

STATE OF NEW MEXICO (DA) PORTALES v. Billy T Kid

Lead Attorney: Stephenson, Amanda Marie
Retained: 03/12/2019

Status: **Appealed** 311
Filed: 06/30/2009
Type: Felony Homicide
Court Unit: Roosevelt County
Judicial Officer: Stone, Michael H.
Hearing Officer:
Financial Balance: 5.00

Charges	Dispositions
1. MURDER IN THE SECOND DEGREE <i>filed As: MURDER IN THE FIRST DEGREE (WILLFUL & DELIBERATE)</i> STN 220100060315	(F2) 07/07/2008 Disposition OR: GUILTY/NO CONTEST PLEA
2. ARMED ROBBERY WITH A DEADLY WEAPON 2ND+ OFFENSE STN 220100060315	(F2) 07/07/2008 Disposition OR: GUILTY/NO CONTEST PLEA
3. TAMPERING WITH EVIDENCE STN 220100060315	(F3) 07/07/2008 Disposition OR: DISMISSED BY PROSECUTOR
4. Possession of firearm or destructive device by a felon STN 220100060315	(F4) 07/07/2008 Disposition OR: DISMISSED BY PROSECUTOR

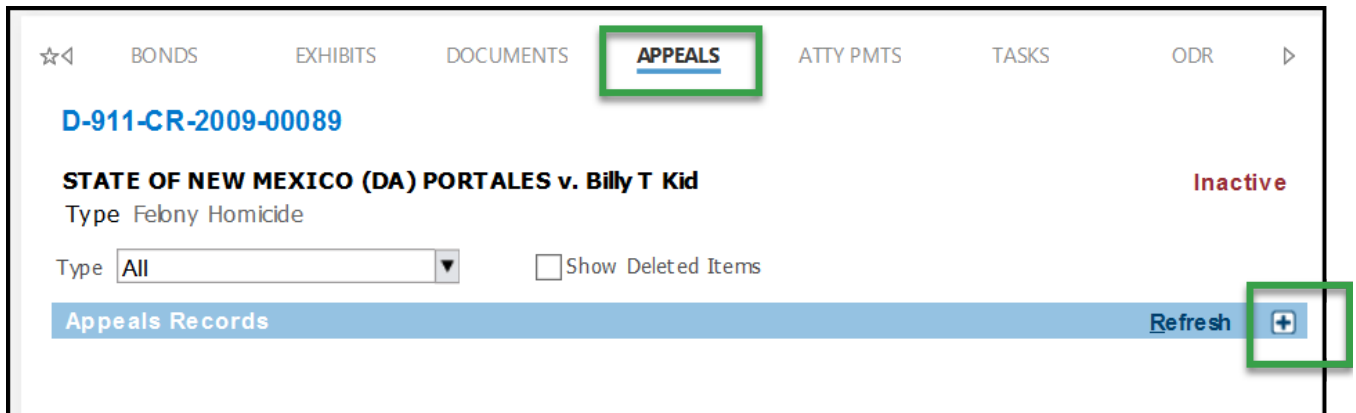
Most Recent Events & Hearings | Case Summary

- 12/10/2020 INTERLOCUTORY APPEAL and Subpoena/Docketing Statement
- 11/30/2020 NTC: OF APPEAL TO COURT OF APPEALS/ SUPREME COURT Party: Defendant Kid, Billy T
- 11/19/2020 ORD: ORDER DENYING (Judicial Officer: Stone, Michael H.) On Behalf Of: Defendant Kid, Billy T Def.'s MTN for Immediate Release Due to Public Health Emergency
- 11/16/2020 REQUEST FOR HEARING/ SETTING (Judicial Officer: Stone, Michael H.) Telephone for Immediate Release due to Public Health Emergency
- 08/07/2020 MTN: TO RECONSIDER/ REVIEW Filed By: Defendant Kid, Billy T Immediate Release Due to Public Health Emergency
- 01/08/2020 CRT: Case Research/Review

statistical closure
12/13/2019 Order: Will of Habeas Corpus

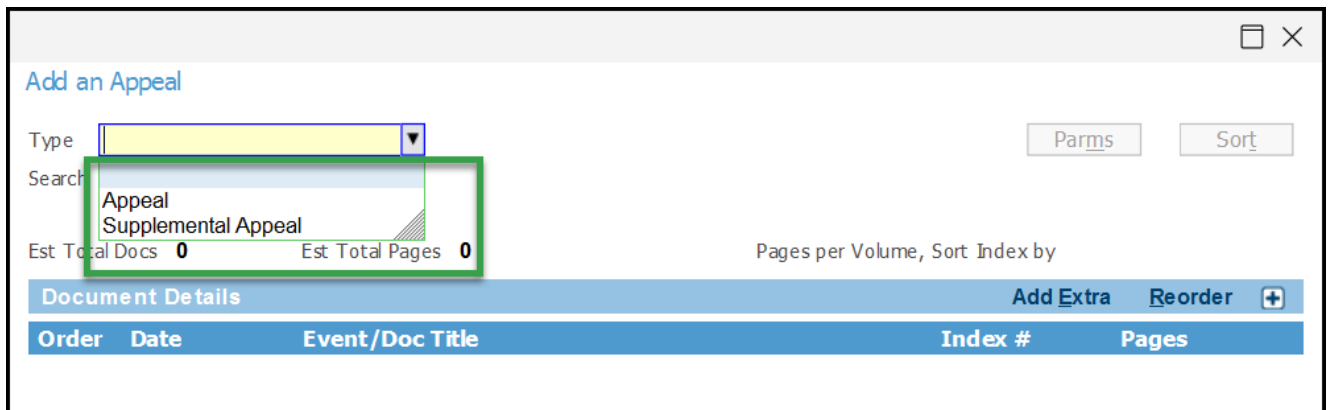
defendant demographics
DOB 01/04/1978 White Male
SSN 555-55-5555 5'9" 165lbs
Hair: Brown
Eyes: Brown

2. Navigate to the **Appeals** tab of the case and click the + sign.

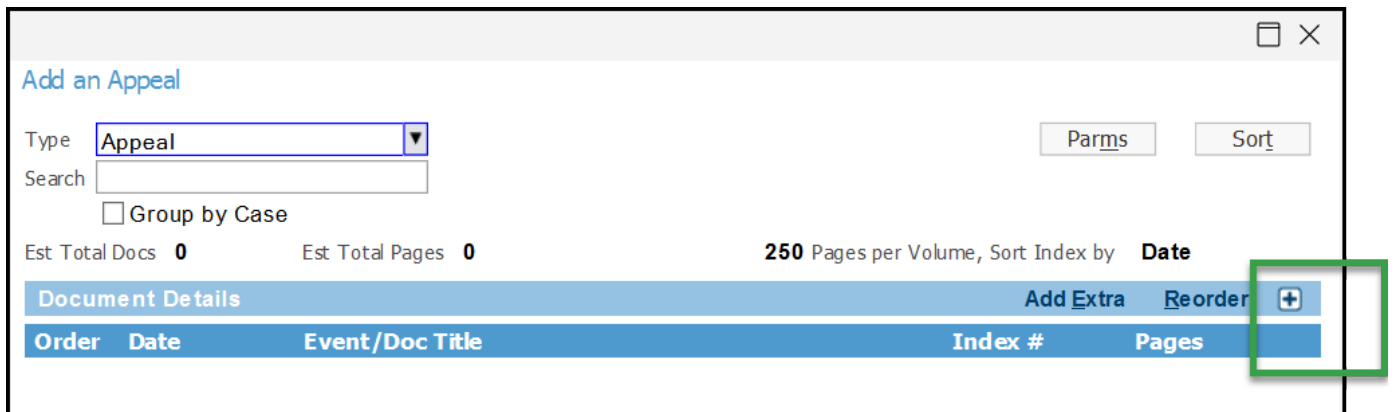


The **Add an Appeal** dialog box will appear.

3. Select the type of appeal (Appeal or Supplemental Appeal) from the **Type** drop down menu.

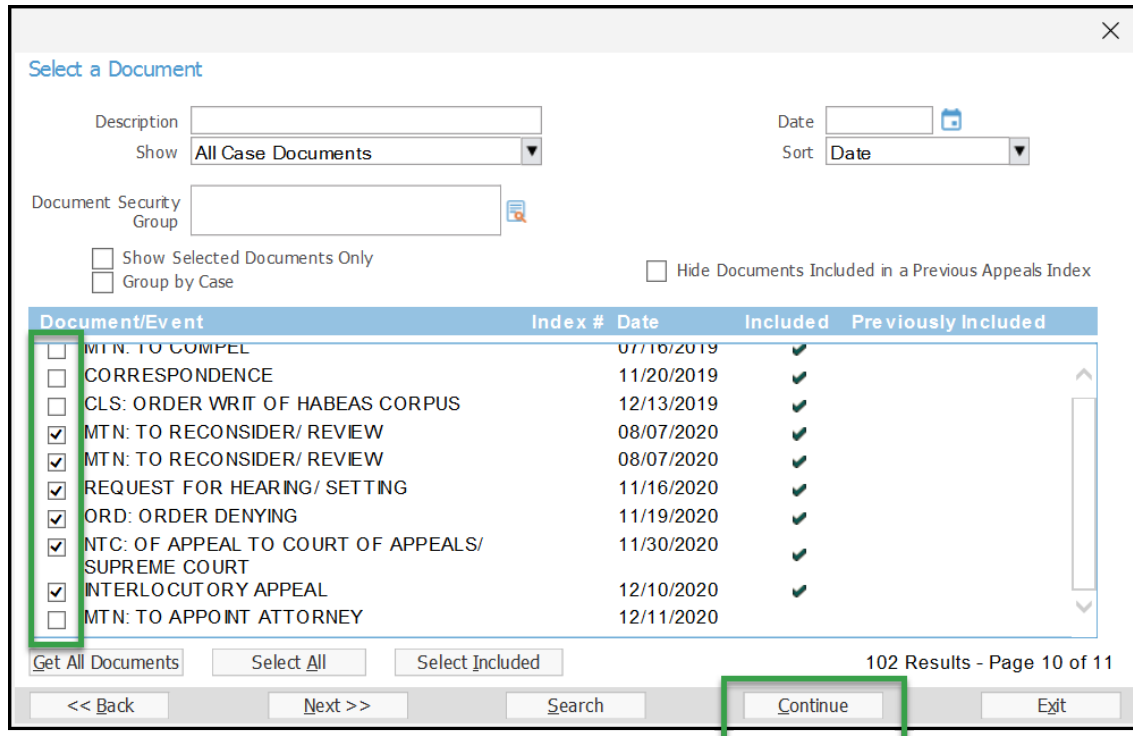


4. Click the + sign.

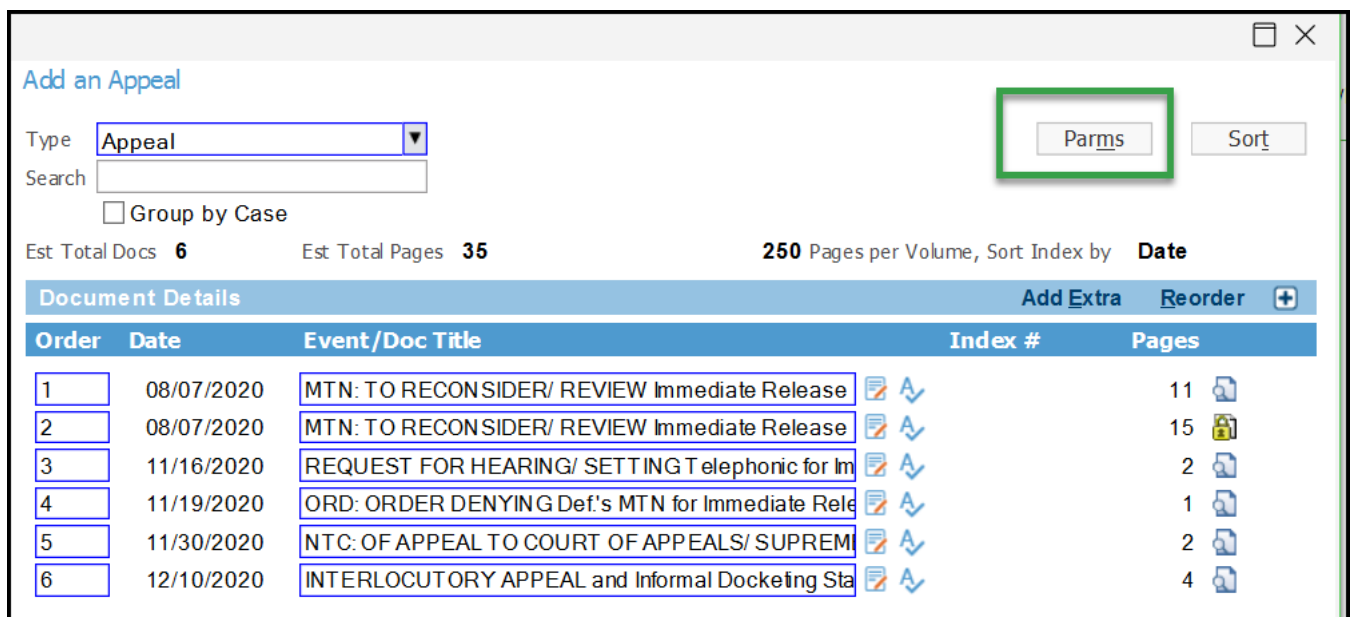


The **Select a Document** dialog box will appear.

5. Select the events/documents to include in the Record Proper.
 - a. Use the **Next** option if there are multiple pages of documents or **Select All** then deselect any document that should not be included in the record.
6. Click **Continue**.



7. Click the **Parms** Button.



8. The **Modify Appeals Parameters** dialog box will open. Click **Continue**.

Modify Appeals Parameters

Volume Details

Starting Volume #

Volume Size (in pages)

Count cover and index pages toward volume size

Continue page numbering across volumes

Allow documents to split across volumes

Only split document if larger than volume size

Over Threshold

Doc. Version to Use

Appeals Index Details

Cover Form

Index Form

Sort index independently of records

Sort Index by

Include Second Index

Sort Index by

Generate Cover & Indexes as One File

Include Cover & Index in Pagination

Title By Related Events

Page Details

Sort Records by

Shrink image to allow for page # space

Include Page #

Starting Page #

Page # Formatting

Text

Include text with page #

Text

Include Date

Include Time

Placement

Font Size

Generate all Docs as One File

Appeals Index per Volume Details

Cover Form

Index Form

Sort index independently of records

Sort Index by

Include Second Index

Sort Index by

Generate Cover & Indexes as One File

Include Cover & Index in Pagination

9. Click on **Build Index**.

Add an Appeal

Type

Search

Group by Case

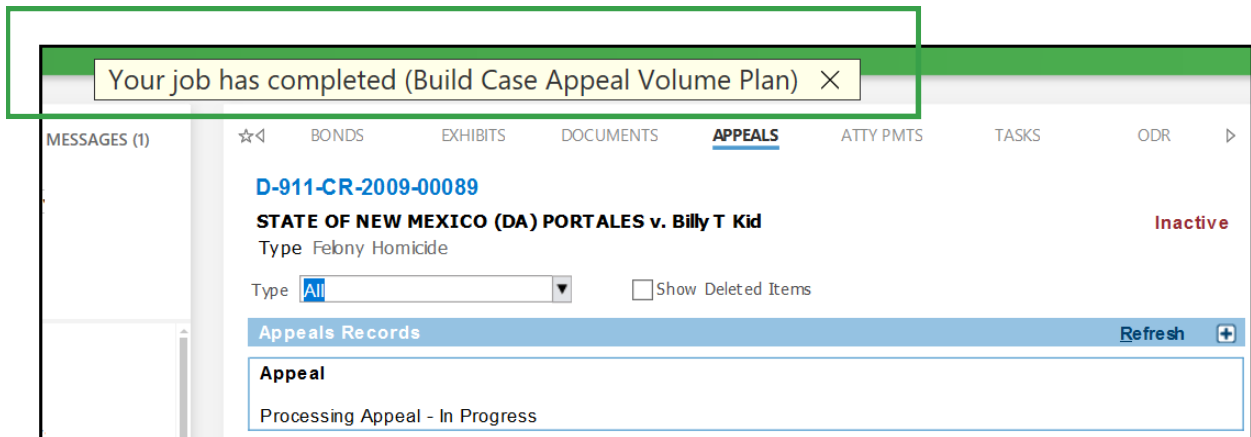
Est Total Docs **6** Est Total Pages **35** 250 Pages per Volume, Sort Index by **Date**

Document Details

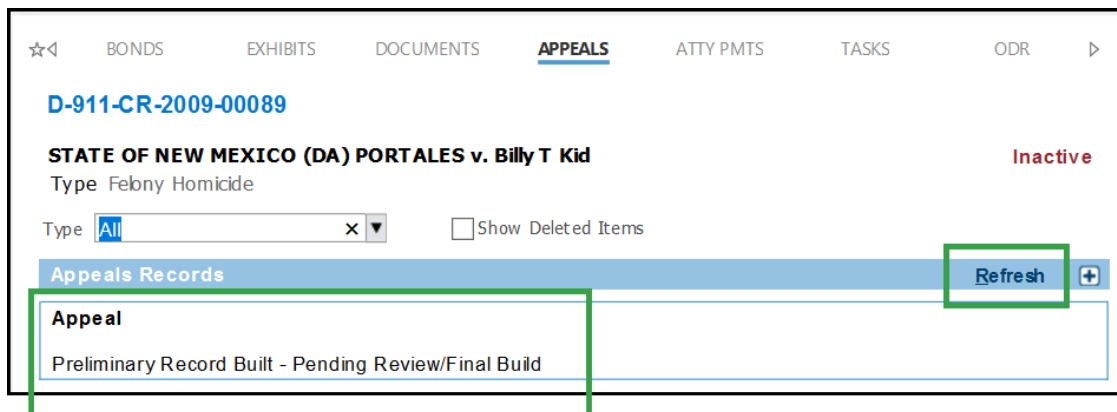
Order	Date	Event/Doc Title	Index #	Pages
<input type="text" value="1"/>	08/07/2020	MTN: TO RECONSIDER/ REVIEW Immediate Release		11
<input type="text" value="2"/>	08/07/2020	MTN: TO RECONSIDER/ REVIEW Immediate Release		15
<input type="text" value="3"/>	11/16/2020	REQUEST FOR HEARING/ SETTING Telephonic for Im		2
<input type="text" value="4"/>	11/19/2020	ORD: ORDER DENYING Def's MTN for Immediate Rele		1
<input type="text" value="5"/>	11/30/2020	NTC: OF APPEAL TO COURT OF APPEALS/ SUPREMI		2
<input type="text" value="6"/>	12/10/2020	INTERLOCUTORY APPEAL and Informal Docketing Sta		4

6 Results - Page 1 of 1

When the index is built (this will take a few seconds), the words **“Your job has completed (Build Case Appeal Volume Plan)”** will flash at the top of the screen.

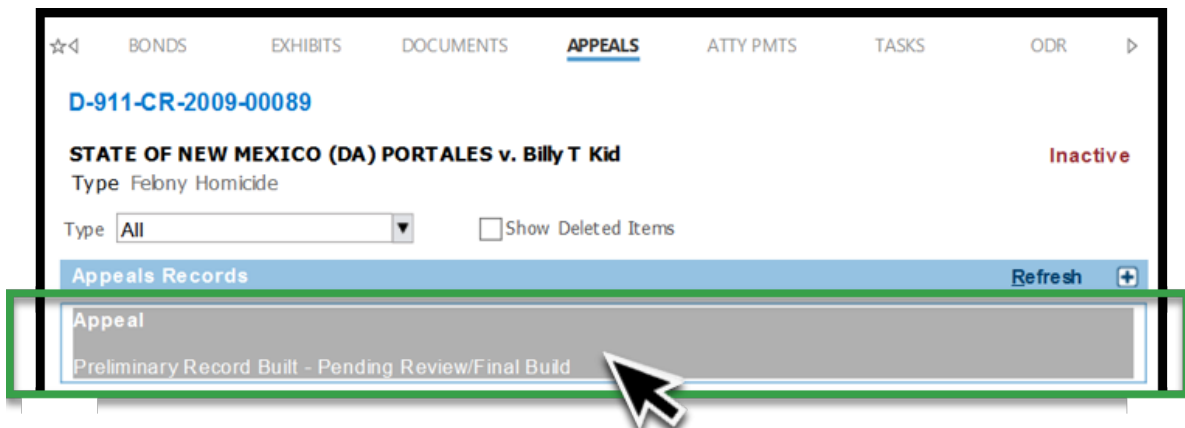


10. Click on the **Refresh** hyperlink near the + sign. The record should now look like this: **“Preliminary Record Built – Pending Review/Final Build”** indicating that the final record is being built.

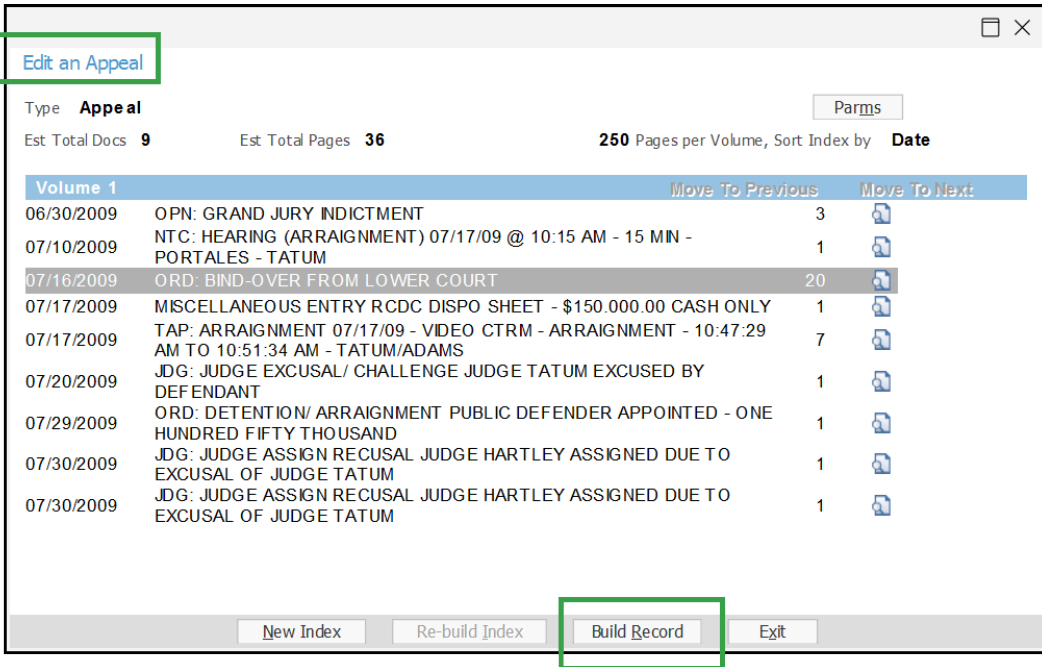


Complete the following steps to finalize the building of the record:

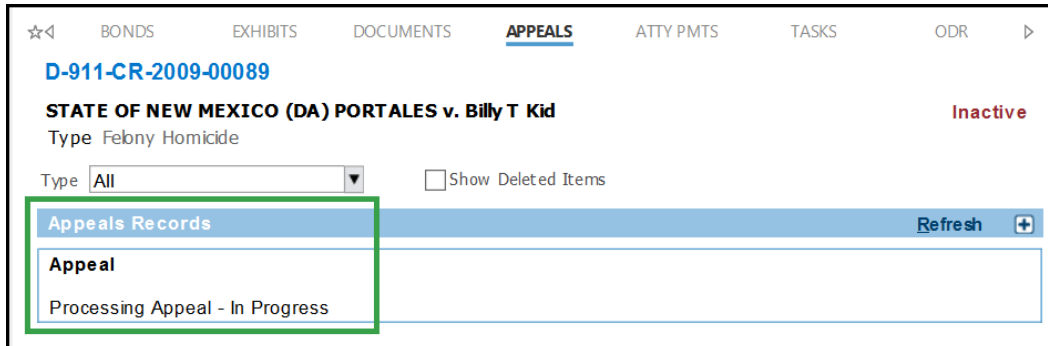
11. Click on the **Appeal Record**.



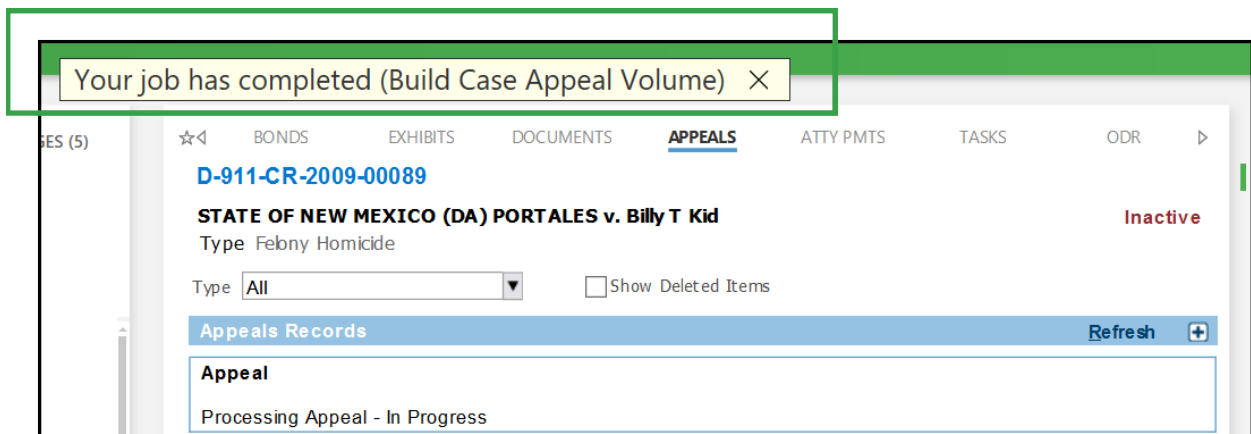
12. The **Edit an Appeal** dialog box will appear. Click **Build Record**.



The record will now look like this:



When the job has completed processing (this will take a few seconds), the words shown below, **“Your job has completed (Build Case Appeal Volume)”** will blink at the top of the screen.



- At this point, refresh the data by saving the case and then pulling it back up again, or click the **Refresh** hyperlink which is near the + sign.

Now the record should look like this:

☆< BONDS EXHIBITS DOCUMENTS **APPEALS** ATTY PMTS TASKS ODR >

D-911-CR-2009-00089
STATE OF NEW MEXICO (DA) PORTALES v. Billy T Kid Inactive
 Type Felony Homicide

Type Show Deleted Items

Appeals Records		Refresh +
Appeal	Pages	
📁 Appeals Index		
📁 Volume 1	36	
Total Pages: 36		
Ending Page Number: 36		

- To view the Record Proper Index, click on the document icon next to the **Appeals Index**.



9TH DISTRICT §
COUNTY OF ROOSEVELT §
STATE OF NEW MEXICO §
STATE OF NEW MEXICO VS. §

RECORD PROPER INDEX

The documents listed below were electronically transmitted by the district court to the appellate court as a record proper under Rule 12-209 NMRA and is a complete list of all documents required to be included by the district court clerk in the record proper under Rule 12-209 NMRA. The documents listed in this Record Proper Index can be viewed by accessing the individual documents in the district court case numbered D-911-C- or by contacting the New Mexico Supreme Court Clerk's Office at 505-827-4860.

<u>Document:</u>	<u>File Date:</u>	<u>Page:</u>
MTN: TO RECONSIDER/ REVIEW Immediate Release Due to Public Health Emergency	08/07/20	1 - 11
MTN: TO RECONSIDER/ REVIEW Immediate Release Due to Public Health Emergency	08/07/20	12 - 26
REQUEST FOR HEARING/ SETTING Telephonic for Immediate Release due to Public Health Emergency	11/16/20	27 - 28
ORD: ORDER DENYING Def.'s MTN for Immediate Release Due to Public Health Emergency	11/19/20	29 - 29
NTC: OF APPEAL TO COURT OF APPEALS/ SUPREME COURT	11/30/20	30 - 31
INTERLOCUTORY APPEAL and Informal Docketing Statement	12/10/20	32 - 35
MTN: TO APPOINT ATTORNEY	12/10/20	36 - 36

The first page of the **Record Proper Volume** may look like this:

IN THE NINTH JUDICIAL DISTRICT
STATE OF NEW MEXICO, COUNTY OF ROOSEVELT
STATE OF NEW MEXICO,

Plaintiff,
vs.
[REDACTED]

DOB: 01/27/1962
SOC: [REDACTED]
STN: 220100080315

Defendant.

Crime(s):
**Murder in the first degree, or in the
Alternative, Felony Murder
Armed robbery
Tampering with evidence
Possession of firearm or destructive
device by a felon**

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

Count 1: **First Degree Murder (Willful and Deliberate)**, in that on or about, July 7, 2008, in Roosevelt County, New Mexico, the above-named defendant did kill [REDACTED] with the deliberate intention to take away the life of [REDACTED] or any other human being, a capital offense, contrary to Section 30-2-1(A)(1), NMSA 1978.

OR IN THE ALTERNATIVE:

Count 1: **First Degree Murder (Felony Murder)**, in that on or about, July 7, 2008, in Roosevelt County, New Mexico, the above-named defendant did intentionally cause the death of [REDACTED] during the commission or attempted commission of Armed Robbery, a felony

NINTH JUDICIAL DISTRICT
ROOSEVELT COUNTY, NM
FILED IN MY OFFICE
2009 JUN 30 PM 3: 38
Margie Jones
CLERK DISTRICT COURT

No. D-0911-[REDACTED]

DREW D. TATUM

RP- Page 1

Follow the steps below to electronically transmit the record proper to the Court of Appeals or Supreme Court.

15. Navigate to the **Documents tab** of the case. Right click on the **Appeal Index** and select **Modify Document**. Modify the **Type** and **Security Group** as appropriate. For this example, the case is a criminal case so the document type is Criminal Case Document.
16. Click **Save**.

RIGHT CLICK

Date	OCR	Type	Name	Index #	Pgs	Mark
08/19/2022		Sealed Record Proper	Appeal Index			
08/19/2022		Sealed Record Proper	Appeal Volume 1			
11/22/2021		Portales Criminal Docur	ORD: APPOINTING			
11/22/2021		Portales Criminal Docur	ORD: ORDER			
12/11/2020		Portales Criminal Docur	MTN: TO APPOINT			
12/11/2020		Portales Criminal Docur	INTERLOCUTORY A			
11/30/2020		Portales Criminal Docur	NTC: OF APPEAL TC			
11/19/2020		E-Filed Document	089.pdf			
11/16/2020		Portales Criminal Docur	REQUEST FOR HEA			

Modify Document

Name: Appeal Index

Type: Portales Criminal Document

Security Group: Portales Criminal Document

Description: [Empty]

Effective Date: 08/19/2022

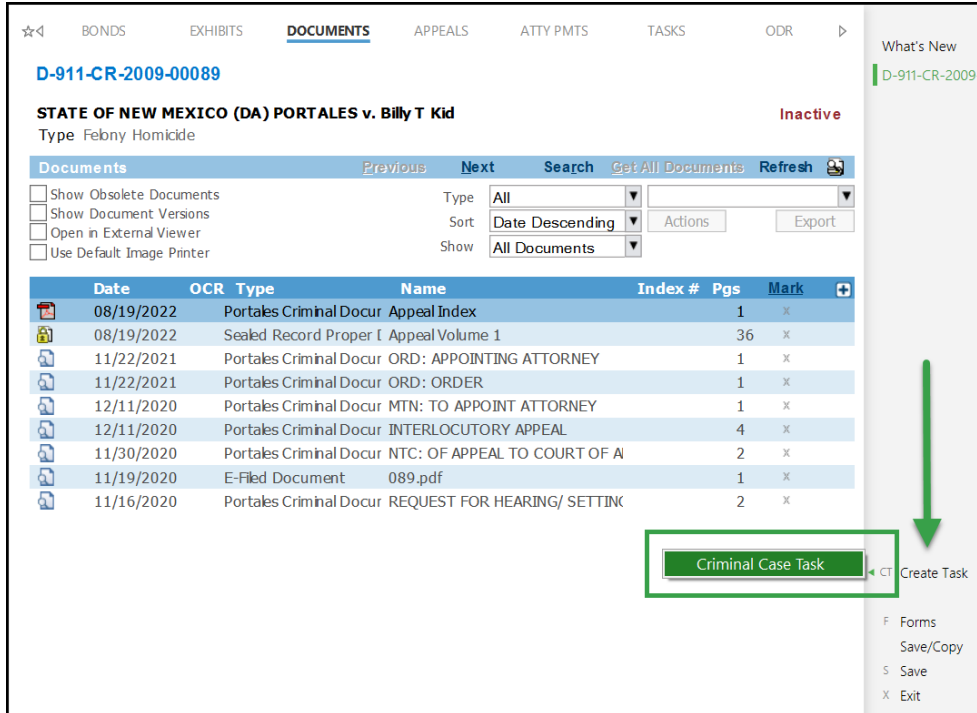
Obsolete Date: [Empty]

Buttons: Save, Exit

NOTE***The Appeal Volume will remain sealed.

Note: The On-line Access Committee (OAC) has voted to leave the Appeal Index unsealed so that Secure Odyssey Public Access (SOPA) users will be able to see it. They have also voted to seal the record proper because there may be sealed documents included in it. The configuration of the Record Proper functionality requires the setting of a document type and security group and so it has been set to the Sealed Record Proper Document Type. This functionality automatically assigns the document type and security to both the Appeal Index and the Appeal Volumes (record proper). Court staff will have to modify the document type and security group to comply with the policy set by the OAC.

17. Navigate to **Create Task** in the bottom right-hand portion of the **Command Legend** and select **Criminal Case Task**. (If transferring a civil case, Civil Case Task will appear)



- Update the **Task Description** and enter a **Due Date** if necessary. Make sure the box next to 'Filter queues by case node' is checked. Use the drop-down menu and select the appropriate queue (Either the Court of Appeals Record Proper or Supreme Court Record Proper queue). Click on **Attach Documents**.



- The **Select Documents** window will open. Checkmark the **Appeal Index** and **Appeal Volume(s)** then **Save**.

Select Documents

Name Type **All** Show Document Versions Sort **Date Descending**

Date	Document Type	Document Name	Pgs
<input checked="" type="checkbox"/>	08/19/2022	Portales Criminal Docur Appeal Index	1
<input checked="" type="checkbox"/>	08/19/2022	Sealed Record Proper I Appeal Volume 1	36
<input type="checkbox"/>	11/22/2021	Portales Criminal Docur ORD: APPOINTING ATTORNEY	1
<input type="checkbox"/>	11/22/2021	Portales Criminal Docur ORD: ORDER	1
<input type="checkbox"/>	12/11/2020	Portales Criminal Docur MTN: TO APPOINT ATTORNEY	1
<input type="checkbox"/>	12/11/2020	Portales Criminal Docur INTERLOCUTORY APPEAL	4
<input type="checkbox"/>	11/30/2020	Portales Criminal Docur NTC: OF APPEAL TO COURT OF APPEALS/ SUPREME COUR	2
<input type="checkbox"/>	11/19/2020	E-Filed Document 089.pdf	1
<input type="checkbox"/>	11/16/2020	Portales Criminal Docur REQUEST FOR HEARING/ SETTING	2

Get All Documents Select All 104 Results - Page 1 of 12 Total Pages - 337

<< Back Next >> Search Save Exit

20. Enter comments in the **Notes** section if necessary, then click **Send**.

Criminal Case Task

Task Information

* Task Description Criminal Case Task | D-911-CR-2009-00089

* Priority 50

Due Date Enter date

* Task Assignment Filter queues by case node

Task Queue Court of Appeals Record Proper Queue

User

Attach Documents 2 documents attached

Notes

Enter notes here

Send Exit

(The Court Staff at the Court of Appeals or the Supreme Court will then access the Queue and link the documents to their case).

- 21. Navigate to the Events tab and docket 8741 – TRANSMISSION OF RECORD PROPER and **Save**.

Add Event

Type: **TRANSMISSION OF RECORD PROPER**

Date: 08/19/2022 Time: 11:36 AM

Party: []

Judicial Officer: []

Due: [] Completed: []

Comment: []

Docketable Include on Appeal

Print Event Barcode Upon Save

Document Type: []

Document Security Group: []

Doc Link ID: []

Does not affect case aging clock

Save/Print **Save** Exit

quick links

- ▶ Add Next
- ▶ Add Related
- ▶ Add Hearing
- ▶ Add Service
- ▶ Relationships

- 22. Right click on the TRANSMISSION OF RECORD PROPER event code and select the menu item **Relate Documents**.

☆ SUMMARY DETAIL PARTIES CHARGES **EVENTS** SERVICE HEARINGS

D-911-CR-2009-00089

STATE OF NEW MEXICO (DA) PORTALES v. Billy T Kid
Type Felony Homicide

Events

Date	Type and Comment
08/19/2022	TRANSMISSION OF RECORD PROPER
11/30/2020	NTC: OF APPEAL TO COURT OF APPEALS/ SUPRI Party: Defendant Kid, Billy T
08/07/2020	MTN: TO RECONSIDER/ REVIEW Immediate release Filed By: Defendant Kid, Billy T
11/19/2020	ORD: ORDER DENYING Def.'s MTN for Immediate R On Behalf Of: Defendant Kid, Billy T Judicial Officer: Stone, Michael H.
11/16/2020	REQUEST FOR HEARING/ SETTING Telephonic Judicial Officer: Stone, Michael H.
01/08/2020	CRT: Case Researched/Reviewed
12/13/2019	CLS: ORDER WRIT OF HABEAS CORPUS Matter is s
11/20/2019	CORRESPONDENCE from the Defendant regarding the C
07/16/2019	MTN: TO COMPEL A Response

Context Menu:

- Add Related Event
- Add Related Service
- Add Related Hearing
- Print Form
- Modify Event Relationships
- Scan Document
- Attach Document
- Link Document
- Relate Documents**
- Delete

23. The Select Documents dialog box will appear. Check the boxes next to the **Appeal Index** and **Appeal Volume(s)** and **Save**.

Select Documents

Name Type Show Document Versions Sort

Date	Document Type	Document Name	Index #	Pgs
<input checked="" type="checkbox"/>	08/19/2022	Portales Criminal Docur	Appeal Index	1
<input checked="" type="checkbox"/>	08/19/2022	Sealed Record Proper E	Appeal Volume 1	36
<input type="checkbox"/>	11/22/2021	Portales Criminal Docur	ORD: APPOINTING ATTORNEY	1
<input type="checkbox"/>	11/22/2021	Portales Criminal Docur	ORD: ORDER	1
<input type="checkbox"/>	12/11/2020	Portales Criminal Docur	MTN: TO APPOINT ATTORNEY	1
<input type="checkbox"/>	12/11/2020	Portales Criminal Docur	INTERLOCUTORY APPEAL	4
<input type="checkbox"/>	11/30/2020	Portales Criminal Docur	NTC: OF APPEAL TO COURT OF APPEALS/ SUPI	2
<input type="checkbox"/>	11/19/2020	E-Filed Document	089.pdf	1
<input type="checkbox"/>	11/16/2020	Portales Criminal Docur	REQUEST FOR HEARING/ SETTING	2

104 Results - Page 1 of 12 Total Pages - 337