

Possession of Marijuana

While it may seem harmless to some students and is legal in Colorado, it would be a big mistake to possess marijuana here in New Mexico. If you were to receive a citation from the Las Cruces Police Department, here is the penalty you will face in Municipal Court, based on the local ordinances, if it's your first offense for possession:

Sec. 19-3. - Possession of marijuana.

- (a) It shall be unlawful for any person to intentionally possess marijuana.
- (b) Any person who violates this section by intentionally possessing one ounce or less of marijuana shall be deemed guilty of a petty misdemeanor and shall be punished by a fine of not less than \$50.00 or more than \$100.00 and by imprisonment for not more than 15 days.
- (c) Any person convicted of violating this section shall be assessed, in addition to any other fee or fine, a fee of \$25.00 to defray the costs of chemical and other analyses of controlled substances. The fee shall be collected by the municipal court and transmitted to the administrative office of the courts pursuant to NMSA 1978, § 31-12-8.

If you were to possess more than that for a first offense, or if it's your second or subsequent offense, of course the penalties will be higher.

You should enter a plea of Not Guilty at your arraignment. Feel free to contact our office for an appointment to get advice and/or contact the Public Defender's Office. A link to their site is on the main page of this site.