

**BANK OF AMERICA, N.A. V. NICKELL**

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**BANK OF AMERICA, N.A.  
SUCCESSOR BY MERGER TO  
BAC HOME LOANS SERVICING  
LP, f/k/a COUNTRYWIDE HOME  
LOANS SERVICING LP,  
Plaintiff-Appellee,  
v.  
JAMES E. NICKELL,  
Defendant-Appellant.  
and  
JAMES E. NICKELL IRREVOCABLE  
TRUST and EL CORAZON DE SANTA FE,  
Defendants.**

No. A-1-CA-36323

COURT OF APPEALS OF NEW MEXICO

March 14, 2018

APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY, Sarah M. Singleton,  
District Judge

**COUNSEL**

Lucinda R. Silva, Albuquerque, NM, for Appellees

James E. Nickell, Santa Fe, NM, Pro Se Appellant

**JUDGES**

M. MONICA ZAMORA, Judge. WE CONCUR: JULIE J. VARGAS, Judge, STEPHEN G. FRENCH, Judge

**AUTHOR:** M. MONICA ZAMORA

## **MEMORANDUM OPINION**

**ZAMORA, Judge.**

{1} Defendant appeals the district court's adverse judgment in this foreclosure case. We issued a notice of proposed disposition proposing to affirm. Plaintiffs have filed a memorandum in support of the proposed affirmance, but Defendant has not filed a memorandum in opposition and the time allotted for doing so has expired. Rule 12-210(D)(2) NMRA (requiring a memorandum in opposition to be filed within twenty days of service of the notice of proposed disposition). Therefore, we affirm for the reasons stated in the notice of proposed summary disposition.

{2} **IT IS SO ORDERED.**

**M. MONICA ZAMORA, Judge**

**WE CONCUR:**

**JULIE J. VARGAS, Judge**

**STEPHEN G. FRENCH, Judge**