

CASTILLO V. ALVAREZ

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**SALLIE CASTILLO, individually and
as mother and next best friend of
BELLA CELINE SIMEONE, a
minor, by and through her mother and
next best friend,**
Plaintiffs-Appellants,

v.

**LOUIS ALVAREZ, JESS ROGERS,
RON SIERRA, PAUL OSUNA,
CANDELARIO JAUREQUI, and
COBRE CONSODLIATED SCHOOL
DISTRICT,**
Defendants-Appellees.

NO. 30,038

COURT OF APPEALS OF NEW MEXICO

February 25, 2010

APPEAL FROM THE DISTRICT COURT OF GRANT COUNTY, H. R. Quintero, District
Judge

COUNSEL

James B. Foy, Silver City, NM, for Appellants

German & Associates, L.L.C., Elizabeth L. German, Albuquerque, NM, for Appellees

JUDGES

CYNTHIA A. FRY, Chief Judge. WE CONCUR: JAMES J. WECHSLER, Judge,
JONATHAN B. SUTIN, Judge

AUTHOR: CYNTHIA A. FRY

MEMORANDUM OPINION

FRY, Chief Judge.

Plaintiffs appeal from an order dismissing their complaint for failure to state a claim on which relief can be granted. In this Court's notice of proposed summary disposition, we proposed to affirm. Defendants have filed a memorandum in support of our proposed summary disposition. Plaintiffs have not filed a memorandum in opposition, and the time to do so has passed. Therefore, for the reasons stated in the notice of proposed summary disposition, we affirm.

IT IS SO ORDERED.

CYNTHIA A. FRY, Chief Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

JONATHAN B. SUTIN, Judge