

**GALLUP INDEPENDENT V. KRQE NEWS 13**

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**GALLUP INDEPENDENT,  
Plaintiff-Appellee,  
v.  
KRQE NEWS 13,  
Defendant-Appellant.**

No. 35,119

COURT OF APPEALS OF NEW MEXICO

May 25, 2016

APPEAL FROM THE DISTRICT COURT OF MCKINLEY COUNTY, Robert A. Aragon,  
District Judge

**COUNSEL**

The Law Offices of David R. Jordan, PC, David R. Jordan, Gallup, NM, Modrall,  
Sperling, Roehl, Harris & Sisk, P.A., Emil J. Kiehne, Albuquerque, NM, for Appellee

Esquivel Law Firm, LLC, Martin R. Esquivel, Albuquerque, NM, for Appellant

**JUDGES**

JONATHAN B. SUTIN, Judge. WE CONCUR: MICHAEL E. VIGIL, Chief Judge,  
TIMOTHY L. GARCIA, Judge

**AUTHOR:** JONATHAN B. SUTIN

**MEMORANDUM OPINION**

**SUTIN, Judge.**

{1} Summary affirmance was proposed for the reasons stated in the notice of proposed summary disposition. No memorandum opposing summary affirmance has been filed and the time for doing so has expired.

**{2} AFFIRMED.**

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

**JONATHAN B. SUTIN, Judge**

**WE CONCUR:**

**MICHAEL E. VIGIL, Chief Judge**

**TIMOTHY L. GARCIA, Judge**