

GARDNER V. RIVERA

This memorandum opinion was not selected for publication in the New Mexico Appellate Reports. Please see Rule 12-405 NMRA for restrictions on the citation of unpublished memorandum opinions. Please also note that this electronic memorandum opinion may contain computer-generated errors or other deviations from the official paper version filed by the Court of Appeals and does not include the filing date.

WILLIAM GARDNER,
Plaintiff/Counterdefendant-Appellee,
v.
ERIC RIVERA d/b/a SOUTHWEST METAL DESIGN,
Defendant/Counterclaimant-Appellant,
and
ERIC RIVERA d/b/a SOUTHWEST METAL DIVISION,
Third-party Plaintiff/Counterdefendant-Appellant,
v.
KATHRYN GARDNER,
Third-party Defendant/Counterclaimant-Appellee.

NO. 35,612

COURT OF APPEALS OF NEW MEXICO

October 6, 2016

APPEAL FROM THE DISTRICT COURT OF SANDOVAL COUNTY, John F. Davis,
District Judge

COUNSEL

Crowley & Gribble PC, Clayton E. Crowley, Albuquerque, NM., for Appellees

David M. Houliston, Albuquerque, NM., for Appellant

JUDGES

MICHAEL E. VIGIL, Chief Judge. WE CONCUR: JONATHAN B. SUTIN, Judge,
STEPHEN G. FRENCH, Judge

AUTHOR: MICHAEL E. VIGIL

MEMORANDUM OPINION

VIGIL, Chief Judge.

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

{2} **DISMISSED.**

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

MICHAEL E. VIGIL, Chief Judge

WE CONCUR:

JONATHAN B. SUTIN, Judge

STEPHEN G. FRENCH, Judge