

MENDOZA V. HUBER

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GEORGE MENDOZA,
Plaintiff-Appellant,
v.
LUCINDA HUBER,
Defendant-Appellee.

No. 33,913

COURT OF APPEALS OF NEW MEXICO

November 25, 2014

APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY, Manuel I. Arrieta,
District Judge

COUNSEL

Kelly O'Connell, Las Cruces, NM, for Appellant

The Pickett Law Firm, LLC, Stephen T. Swaim, Lawrence M. Pickett, Las Cruces, NM,
for Appellee

JUDGES

LINDA M. VANZI, Judge. WE CONCUR: MICHAEL D. BUSTAMANTE, Judge,
JONATHAN B. SUTIN, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Judge.

{1} Plaintiff appeals from a district court judgment resolving Plaintiff's quiet title complaint in Defendant's favor. We issued a calendar notice proposing to dismiss for lack of a final order. Defendant filed a memorandum in support. Plaintiff has not filed a

memorandum in opposition, and the time for doing so has expired. See Rule 12-210(D)(3) NMRA. Accordingly, we dismiss the appeal. See *Frick v. Veazey*, 1993-NMCA-119, ¶ 2, 116 N.M. 246, 861 P.2d 287 (“Failure to file a memorandum in opposition constitutes acceptance of the disposition proposed in the calendar notice.”).

{2} DISMISSED.

{3} IT IS SO ORDERED.

LINDA M. VANZI, Judge

WE CONCUR:

MICHAEL D. BUSTAMANTE, Judge

JONATHAN B. SUTIN, Judge