

<b>STATE V. JACKSON</b>
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**STATE OF NEW MEXICO**

Plaintiff-Appellee,

**v.**

**LAURA JACKSON,**

Defendant-Appellant.

No. 33,797

COURT OF APPEALS OF NEW MEXICO

October 22, 2014

APPEAL FROM THE DISTRICT COURT OF EDDY COUNTY, Raymond I. Romero,  
District Judge

**COUNSEL**

Eileen Riordan, City Attorney, City of Carlsbad, Carlsbad, NM, for Appellee

Laura Jackson, El Paso, TX, Pro Se Appellant

**JUDGES**

JONATHAN B. SUTIN, Judge. WE CONCUR: LINDA M. VANZI, Judge, M. MONICA ZAMORA, Judge

**AUTHOR:** JONATHAN B. SUTIN

**MEMORANDUM OPINION**

**SUTIN, Judge.**

{1} Defendant Laura Jackson appeals from the district court's order dismissing her appeal from her municipal court conviction, which was filed in the district court on March 17, 2014. [RP 327] Unpersuaded by Defendant's docketing statement, we entered a notice of proposed summary disposition, proposing to affirm. Defendant subsequently

filed two additional documents in this Court within the time frame for filing a memorandum in opposition. We construe these documents as Defendant's memorandum in opposition. We remain unpersuaded and therefore affirm.

{2} In our notice, we explained that because Defendant's filings in this Court are largely unintelligible, it was difficult to determine what error or errors she was claiming that the district court made. Nonetheless, we reviewed Defendant's filings to the best of our ability and construed her appeal to be a challenge to the propriety of the district court's dismissal of her appeal. See *Clayton v. Trotter*, 1990-NMCA-078, ¶¶ 12-17, 110 N.M. 369, 796 P.2d 262 (explaining that this Court will review pro se arguments to the best of its ability, but cannot respond to unintelligible arguments) We proposed to conclude that the district court complied with the requirements of Rule 5-828 NMRA and did not otherwise abuse its discretion in dismissing Defendant's case.

{3} Defendant's memorandum in opposition, like her other filings in this Court, seeks vague relief relating to her dog, George Birthmark. Defendant states that George has a generally gentle disposition and never hurt anyone. Defendant also sets forth a list of various offenses allegedly perpetrated against her by individuals in Carlsbad, New Mexico. Further, Defendant asks this Court to "transfer" her case to El Paso, Texas, where she now resides. While we commend Defendant for her efforts in this case, her memorandum in opposition is not at all responsive to the analysis set forth in our notice. Accordingly, on the basis of our proposed analysis, we hold that the district court did not abuse its discretion in dismissing Defendant's case pursuant to Rule 5-828. See *Hennessey v. Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955 P.2d 683 ("Our courts have repeatedly held that, in summary calendar cases, the burden is on the party opposing the proposed disposition to clearly point out errors in fact or law."); see also *Newsome v. Farer*, 1985-NMSC-096, ¶ 18, 103 N.M. 415, 708 P.2d 327 ("Although pro se pleadings are viewed with tolerance, a pro se litigant, having chosen to represent himself, is held to the same standard of conduct and compliance with court rules, procedures, and orders as are members of the bar." (citation omitted)).

{4} Based on the foregoing and the analysis in our notice of proposed summary disposition, we affirm the district court.

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

**JONATHAN B. SUTIN, Judge**

**WE CONCUR:**

**LINDA M. VANZI, Judge**

**M. MONICA ZAMORA, Judge**