

**STONE V. SMITH**

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 Please see Rule 12-405 NMRA for restrictions on the citation of unpublished memorandum opinions.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.

**DUSTY STONE,**  
**Plaintiff-Appellant,**  
**v.**  
**ROBIN H. SMITH and ALETA SMITH,**  
**Defendants-Appellees.**

No. 32,814

COURT OF APPEALS OF NEW MEXICO

April 27, 2015

APPEAL FROM THE DISTRICT COURT OF QUAY COUNTY, Albert J. Mitchell, Jr.,  
District Judge

**COUNSEL**

Dusty Stone, San Jon, NM, Pro se Appellant

Donald C. Schutte, Tucumcari, NM, for Appellees

**JUDGES**

MICHAEL D. BUSTAMANTE, Judge. WE CONCUR: MICHAEL E. VIGIL, Chief Judge,  
M. MONICA ZAMORA, Judge

**AUTHOR:** MICHAEL D. BUSTAMANTE

**MEMORANDUM OPINION**

**BUSTAMANTE, Judge.**

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

**{2}** Affirmed.

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

**MICHAEL D. BUSTAMANTE, Judge**

**WE CONCUR:**

**MICHAEL E. VIGIL, Chief Judge**

**M. MONICA ZAMORA, Judge**