

VILLA V. MOLINA

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 Please see Rule 12-405 NMRA for restrictions on the citation of unpublished memorandum opinions.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

DANIEL J. VILLA,
Petitioner-Appellant,
v.
NANCY MOLINA,
Respondent-Appellee.

No. 33,880

COURT OF APPEALS OF NEW MEXICO

November 24, 2014

APPEAL FROM THE DISTRICT COURT OF LUNA COUNTY, Daniel Viramontes,
District Judge

COUNSEL

DeLaney & Hernandez, LLC, Amy C. DeLaney-Hernandez, Deming, NM, for Appellant

Couture Law, Rosalie Fragoso, Albuquerque, NM, for Appellee

JUDGES

LINDA M. VANZI, Judge. WE CONCUR: JAMES J. WECHSLER, Judge, J. MILES HANISEE, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Judge.

{1} Petitioner appeals from a district court order dismissing his petition for custody of his minor child. We issued a calendar notice proposing to affirm. Respondent filed a memorandum in support; Petitioner has not filed a memorandum in opposition, and the time for doing so has expired. See Rule 12-210(D)(3) NMRA. Accordingly, we affirm the

district court. 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} AFFIRMED.

{3} IT IS SO ORDERED.

LINDA M. VANZI, Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

J. MILES HANISEE, Judge