

**WM SPECIALTY MORTGAGE, LLC V. JOHNSON**

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**WM SPECIALTY MORTGAGE, LLC,  
Plaintiff/Counterdefendant-Appellee,**

**v.**

**GREG JOHNSON, a/k/a  
GREGORY P. JOHNSON; and  
OLGA JOHNSON,**

**Defendants/Counterclaimants-Appellants,  
and**

**HOME LOAN SERVICES, INC.,  
f/k/a NATIONAL CITY MORTGAGE CO.,**

**Defendants,**

**and**

**GREG JOHNSON and OLGA JOHNSON,  
Third-Party Plaintiffs,**

**v.**

**ACCREDITED HOME LENDERS, INC.;**

**NATIONWIDE CREDIT, INC.;**

**BANK OF AMERICA HOME LOANS;**

**WM SPECIALTY MORTGAGE, LLC;**

**NATIONAL CITY MORTGAGE, INC.;**

**FINANCIAL MORTGAGE GROUP, LLC;**

**and MORTGAGE ELECTRONIC**

**REGISTRATION SYSTEMS, INC.,**

**Third-Party Defendants.**

No. 35,166

COURT OF APPEALS OF NEW MEXICO

January 26, 2017

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Nan G. Nash,  
District Judge

**COUNSEL**

Montgomery & Andrews, P.A., Seth C. McMillan, Santa Fe, NM, Quilling, Selander, Lownds Winslett & Moser, P.C., Marcie L. Schout, Dallas, TX, for Appellee WM Specialty Mortgage, LLC

JRSPC, LLC, Joshua R. Simms, Albuquerque, NM, for Appellants and Third-Party Plaintiffs Greg and Olga Johnson

## **JUDGES**

MICHAEL E. VIGIL, Judge. WE CONCUR: JAMES J. WECHSLER, Judge, J. MILES HANISEE, Judge

**AUTHOR:** MICHAEL E. VIGIL

## **MEMORANDUM OPINION**

**VIGIL, Judge.**

{1} Defendants-Appellants Greg Johnson and Olga Johnson (“Appellants”) seek to appeal from two district court orders: the first one granting summary judgment to Plaintiff-Appellee WM Specialty Mortgage, LLC (“WM”), and Third-Party Defendant Mortgage Electronic Registration Systems, Inc. (“MERS”), [4 RP 1068] and the second one denying Appellants’ motion to dismiss. [4 RP 1070] [DS unnumbered 1] Summary dismissal was proposed for lack of a final order, and we additionally proposed to calendar this case on the merits if a final order was submitted to this Court within the time for filing a memorandum in opposition. On August 29, 2016, WM filed an unopposed motion for extension of time to obtain a final order, and an extension was granted until September 29, 2016. A second request for extension of time was filed by WM, and an extension was granted until October 31, 2016. No further extension requests were made, and a final order has not been filed in this Court.

{2} Because no final order has been submitted to this Court, and the time for doing so has expired, we dismiss the appeal.

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

{4} **DISMISSED.**

**MICHAEL E. VIGIL, Judge**

**WE CONCUR:**

**JAMES J. WECHSLER, Judge**

**J. MILES HANISEE, Judge**