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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-37828

JOE VEGA,

Plaintiff-Appellant,

and

**NANCY ANN RICHARDS,
and VALLE ALLEGRE, LLC,**

Plaintiffs,

v.

**SOUTH VALLEY CARE CENTER,
LLC, HUNTER GREENE, TREVOR
WILSON, and CHARLES BENNETT,**

Defendants-Appellees.

**APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Carl J. Butkus, District Court Judge**

Clayton E. Crowley
Albuquerque, NM

for Appellant

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John S. Campbell
Albuquerque, NM

Jewell Law Offices
Tommy Jewell
Albuquerque, NM

for Appellees

MEMORANDUM OPINION

ATTREP, Judge.

{1} Plaintiff Joe Vega appeals from the district court's entry of final judgment against him, following a bench trial. We issued a notice of proposed summary disposition proposing to affirm. Defendants filed a memorandum in support of our proposed summary affirmance, which we have duly considered. Plaintiff Vega did not file a memorandum in opposition to our proposed disposition.

{2} For the reasons outlined in our notice of proposed disposition, and in the absence of opposition from either party, we conclude that Plaintiff Vega failed to demonstrate error on appeal. See *Farmers, Inc. v. Dal Mach. & Fabricating, Inc.*, 1990-NMSC-100, ¶ 8, 111 N.M. 6, 800 P.2d 1063 (stating that the burden is on the appellant to clearly demonstrate that the trial court erred); *State v. Aragon*, 1999-NMCA-060, ¶ 10, 127 N.M. 393, 981 P.2d 1211 (stating that there is a presumption of correctness in the rulings or decisions of the trial court, and the party claiming error bears the burden of showing such error). Accordingly, we affirm.

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

JENNIFER L. ATTREP, Judge

WE CONCUR:

JACQUELINE R. MEDINA, Judge

SHAMMARA H. HENDERSON, Judge