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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-39523

JENNIFER DEE LILES,

Petitioner-Appellee,

v.

JESSE E. LILES,

Respondent-Appellant.

APPEAL FROM THE DISTRICT COURT OF LEA COUNTY

Michael H. Stone, District Judge

New Mexico Legal Group, P.C.
Kimberly L. Padilla
Albuquerque, NM

for Appellee

Templeman and Crutchfield, P.C.
James E. Templeman
Lovington, NM

for Appellant

MEMORANDUM OPINION

DUFFY, Judge.

{1} Respondent appeals seeking reversal of the district court's order concluding that it did not have the power to calculate back child support without a specific motion. In this Court's notice of proposed disposition, we proposed to summarily affirm because Respondent failed to carry his burden to demonstrate error in the district court's ruling. [CN 2-3] Petitioner filed a memorandum in support, which agreed with our proposed affirmance. Respondent, however, failed to file a memorandum in opposition to our proposed disposition. Accordingly, for the reasons stated herein and in our notice of proposed disposition, we affirm. *See Hennessy 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.”).

{2} IT IS SO ORDERED.

MEGAN P. DUFFY, Judge

WE CONCUR:

ZACHARY A. IVES, Judge

JANE B. YOHALEM, Judge