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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-39496

PAUL DOUGLAS SCOTT,

Petitioner-Appellant,

v.

GLORIA ERLINA MONDRAGON,

Respondent-Appellee.

APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY
Sylvia F. Lamar, District Judge

Cuddy & McCarthy, LLP
Julie A. Wittenberger
Santa Fe, NM

for Appellant

Patrick R. Brito
Santa Fe, NM

for Appellee

MEMORANDUM OPINION

BOGARDUS, Judge.

{1} Petitioner appeals from the district court's final decree of dissolution of marriage, asserting that the district court erred by determining a residence had transmuted from separate to community property. This Court issued a notice of proposed disposition, proposing to reverse and remand for further proceedings. Respondent filed a memorandum expressing her concurrence with this Court's proposed remand, and not otherwise objecting to our notice.

{2} Accordingly, for the reasons stated in our notice of proposed disposition and herein, we reverse the district court's ruling that the residence was community property and remand for further proceedings.

{3} IT IS SO ORDERED.

KRISTINA BOGARDUS, Judge

WE CONCUR:

MEGAN P. DUFFY, Judge

SHAMMARA H. HENDERSON, Judge