

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

**IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

**No. A-1-CA-40751**

**FERNANDO DIAZ,**

Worker-Appellant,

v.

**MAYORGA ROOFING CORP.  
And NEW MEXICO FOUNDATION  
INSURANCE COMPANY,**

Employer/Insurer-Appellees.

**APPEAL FROM THE WORKERS' COMPENSATION ADMINISTRATION  
Leonard J. Padilla, Administrative Hearing Officer**

LeeAnn Ortiz  
Albuquerque, NM

for Appellant

Evie M. Jilek  
Albuquerque, NM

for Appellees

**MEMORANDUM OPINION**

**DUFFY, Judge.**

{1} Worker-Appellant appealed from the Worker's Compensation Judge's (WCJ) third amended compensation order. This Court issued a calendar notice proposing to reverse the WCJ's order on January 30, 2023. On February 17, 2023, Worker-Appellant filed a memorandum in support of this Court's notice of proposed disposition. To this date, Appellees have not filed a memorandum in opposition to this Court's notice of proposed disposition, and the time for doing so has now run. Accordingly, we rely on the reasoning set out in this Court's notice of proposed disposition, and we affirm.

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

**MEGAN P. DUFFY, Judge**

**WE CONCUR:**

**JENNIFER L. ATTREP, Chief Judge**

**KRISTINA BOGARDUS, Judge**