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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-40625

**US BANK TRUST NATIONAL
ASSOCIATION, not in its individual
capacity, but solely as TRUSTEE OF
LSF9 MASTER PARTICIPATION
TRUST,**

Plaintiff-Appellee,

v.

**JOEL S. HICKERSON a/k/a JOEL
SCOTT HICKERSON a/k/a SCOT J.
HICKERSON,**

Defendant-Appellant,

and

**WELLS FARGO BANK, NATIONAL
ASSOCIATION; BANK OF AMERICA,
N.A.; and KIRSTEN HICKERSON,**

Defendants.

**APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Lisa C. Ortega, District Court Judge**

Rose Ramirez & Associates, P.C.
Eraina M. Edwards
Albuquerque, NM

for Appellee

Joel S. Hickerson
Albuquerque, NM

Pro Se Appellant

MEMORANDUM OPINION

HENDERSON, Judge.

{1} Defendant Joel S. Hickerson (Appellant) a self-represented litigant, appeals from the underlying foreclosure judgment, the order confirming sale, and special master's report. We previously issued a notice of proposed disposition in which we proposed to summarily affirm. Appellant has filed a memorandum in opposition. After due consideration, we remain unpersuaded. We therefore affirm.

{2} We previously set forth our analysis relative to the merits of the various issues suggested by the docketing statement. The memorandum in opposition offers no principled response. Instead, Appellant simply continues to assert that the statute of limitations should have barred the action, or alternatively, that he should be said to have adversely possessed the subject property. [MIO 1-3] As described in the notice of proposed summary disposition, these arguments run afoul of clear legal authority, which Appellant has entirely failed to acknowledge. Because the memorandum in opposition contains no new, rationally responsive argument, we adhere to our initial assessment with respect to all issues. *See generally State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that “[a] party responding to a summary calendar notice must come forward and specifically point out errors of law and fact,” and the repetition of earlier arguments does not fulfill this requirement), *superseded by statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374.

{3} Accordingly, for the reasons stated in our notice of proposed disposition and herein, we affirm.

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

SHAMMARA H. HENDERSON, Judge

WE CONCUR:

JENNIFER L. ATTREP, Chief Judge

MEGAN P. DUFFY, Judge