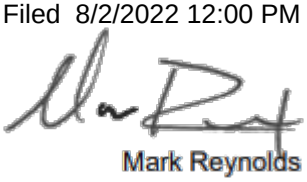
Corrections to this opinion/decision not affecting the outcome, at the Court's discretion, can occur up to the time of publication with NM Compilation Commission. The Court will ensure that the electronic version of this opinion/decision is updated accordingly in Odyssey.

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

Court of Appeals of New Mexico
Filed 8/2/2022 12:00 PM



GABRIEL LOPEZ d/b/a GABRIEL'S INDEPENDENT STATION,

Petitioner-Appellee,

v.

No. A-1-CA-39893

JAYLENE QUILES,

Respondent-Appellant,

and

PAULINE DURAN *recte*
PAULINE PEREA,

Respondent.

APPEAL FROM THE DISTRICT COURT OF SAN MIGUEL COUNTY
Flora Gallegos, District Judge

Phelps Law Office
Brett Phelps
Las Vegas, NM

for Appellee

Jaylene Quiles
Las Vegas, NM

Pro Se Appellant

MEMORANDUM OPINION

MEDINA, Judge.

{1} Respondent Jaylene Quiles, a self-represented litigant, appeals from the district court's judgment, ordering a mutual injunction against the parties and denying the parties' claims for damages. Unpersuaded that Respondent's docketing statement demonstrated error, we issued a notice of proposed summary disposition, proposing to affirm. Respondent has filed a response in opposition to our notice, which we have duly considered. We remain unpersuaded and affirm.

{2} Respondent's memorandum opposing our notice does not clearly address all the issues contained in her docketing statement that we listed and discussed in our notice; does not clarify any of the matters for which our notice sought explanation; and does not set forth the specific legal or factual basis upon which Respondent believes this Court's proposed analysis is incorrect. Instead, Respondent's memorandum accuses this Court and other New Mexico courts of misconduct, making false statements that Respondent does not clearly identify, and violating her constitutional rights and other unidentified rules. [MIO 1-9] Respondent's conclusory assertions do not demonstrate error in our proposed analysis and disposition of the case. *See 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} Thus, we affirm for the reasons stated in our notice of proposed disposition. *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.").

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

JACQUELINE R. MEDINA, Judge

WE CONCUR:

KRISTINA BOGARDUS, Judge

ZACHARY A. IVES, Judge