

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

Court of Appeals of New Mexico  
Filed 10/16/2024 9:43 AM

2 **EDWARD BROWN,**

3 Plaintiff-Appellee,



Ramon J. Maestas  
Chief Clerk

4 v.

**No. A-1-CA-41526**

5 **DHARMA KALSA a/k/a**  
6 **DHARMA SINGH KHALSA**  
7 **a/k/a KHARRMA SINGH KHALSA,**

8 Defendant-Appellant,

9 and

10 **PARMATMA KHALSA, GURU DAYA**  
11 **KAUR KHALSA, CLERK OF**  
12 **US DISTRICT COURT, DISTRICT**  
13 **OF ARIZONA, WAYNE ALAN DRIZIN**  
14 **AND MARINA RONDELL,**

15 Defendants.

16 **APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY**  
17 **Maria E. Sanchez-Gagne, District Court Judge**

18 Rose Ramirez & Associates, P.C.

19 Eraina M. Edwards

20 Albuquerque, NM

21 for Appellee

22 Dharma Singh Khalsa

23 Española, NM

24 Pro Se Appellant

1 **MEMORANDUM OPINION**

2 **IVES, Judge.**

3 {1} Defendant appeals from a summary judgment and order authorizing a  
4 foreclosure sale. [3 RP 627] In this Court’s notice of proposed disposition, we  
5 proposed to summarily affirm. Defendant filed a memorandum in opposition to that  
6 disposition, which we have duly considered. Remaining unpersuaded, we affirm.

7 {2} In his memorandum, Defendant continues to argue that when Plaintiff  
8 deposited a promissory note with the district court pursuant to LR1-203 NMRA, he  
9 lost possession and thus standing to enforce the note. [MIO 1-4; DS 4] Our notice  
10 proposed, however, that the district court appropriately applied Rule 1-025 NMRA.  
11 [CN 3] *See* Rule 1-025(C) (allowing actions to be continued by the original party,  
12 notwithstanding a transfer of interest). Defendant has not asserted any new facts,  
13 law, or argument that persuade us that our notice of proposed disposition was  
14 erroneous. *See Hennessy v. Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955  
15 P.2d 683 (“Our courts have repeatedly held that, in summary calendar cases, the  
16 burden is on the party opposing the proposed disposition to clearly point out errors  
17 in fact or law.”); *State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759  
18 P.2d 1003 (stating that “[a] party responding to a summary calendar notice must  
19 come forward and specifically point out errors of law and fact,” and the repetition of  
20 earlier arguments does not fulfill this requirement), *superseded by statute on other*


1 grounds as stated in *State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. We  
2 therefore refer Defendant to our analysis therein.

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

5 {4} **IT IS SO ORDERED.**

6   
7 **ZACHARY A. IVES, Judge**

8 **WE CONCUR:**

9   
10 **J. MILES HANISEE, Judge**

11   
12 **KRISTINA BOGARDUS, Judge**