


1 claimed was not reviewed would have established compliance with the notice
2 requirements in the New Mexico Tort Claims Act, NMSA 1978, § 41-4-16(A)
3 (1977), and how the record established proper service under Rule 1-004(H) NMRA.
4 [CN 2-3] While Plaintiff's motion for rehearing provides an explanation for late
5 filings, we remain unpersuaded that Plaintiff has demonstrated error by the district
6 court. *See Farmers, Inc. v. Dal Mach. & Fabricating, Inc.*, 1990-NMSC-100, ¶ 8,
7 111 N.M. 6, 800 P.2d 1063 ("The presumption upon review favors the correctness
8 of the trial court's actions. Appellant must affirmatively demonstrate its assertion of
9 error."). We therefore affirm.

10 {3} **IT IS SO ORDERED.**

11 
12 KATHERINE A. WRAY Judge

13 **WE CONCUR:**

14 
15 J. MILES HANISEE, Judge

16 
17 JENNIFER L. ATTREP, Judge