

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

Court of Appeals of New Mexico  
Filed 6/1/2026 8:43 AM

2 **ERIN ELIZABETH MCBRIDE,**

3 Petitioner-Appellee,



Mark Reynolds

4 v.

**No. A-1-CA-42391**

5 **RUSSELL EMILE GUILLETTE,**

6 Respondent-Appellant,

7 **C2P HOLDINGS, LLC, GUILLETTE &**  
8 **COMPANIES, LLC, and RUSSELL E.**  
9 **GUILLETTE, AS TRUSTEE OF THE**  
10 **EMILE LIVING TRUST,**

11 Proposed Intervenors-Appellants.

12 **APPEAL FROM THE DISTRICT COURT OF LINCOLN COUNTY**

13 **John P. Sugg, District Court Judge**

14 Batley Family Law, P.A.

15 Roberta Suzanne Batley

16 Albuquerque, NM

17 for Appellee

18 Russell E. Guillette

19 Ruidoso, NM

20 Pro Se Appellant

21 **MEMORANDUM OPINION**

22 **ATTREP, Judge.**

23 {1} Intervenors appeal from the district court's order denying their motion to  
24 intervene as of right as untimely. This Court issued a calendar notice proposing to

1 affirm. Respondent, a self-represented litigant, filed a memorandum in opposition  
2 purportedly on behalf of Intervenors. However, Respondent is prevented from  
3 representing Intervenors in his individual capacity. *See Martinez v. Roscoe*, 2001-  
4 NMCA-083, ¶¶ 3-15, 131 N.M. 137, 33 P.3d 887 (holding that artificial legal entities  
5 require legal representation by a licensed attorney and cannot appear pro se through  
6 a manager). Therefore, Intervenors have not filed a memorandum in opposition to  
7 our proposed disposition, and to the extent that Respondent raises arguments on  
8 behalf of Intervenors, we decline to address them. To the extent that Respondent  
9 raises arguments on his own behalf in opposition to our notice of proposed  
10 disposition, we remain unpersuaded.

11 {2} Respondent makes the same claims that Intervenors asserted in their  
12 docketing statement and that this Court already addressed in its notice of proposed  
13 disposition: Intervenors timely filed after it became clear that their interests were  
14 implicated [MIO 3-8]; Petitioner would not be prejudiced by granting the motion to  
15 intervene [MIO 8-9]; and Intervenors should be allowed to represent their own  
16 interests if they are subject to a judgment by the district court. [MIO 9-18] But as  
17 this Court explained in its notice of proposed disposition, the record proper  
18 establishes that litigation had been ongoing since October 2021, Petitioner filed  
19 motions to sell the real property in which Intervenors claim an interest in February  
20 2023 and February 2024, Respondent solely controls both Intervenors, and

1 Respondent asserted Intervenor’s interests in the property. [CN 3] Additionally,  
2 despite Respondent’s claim to the contrary, the district court found that intervention  
3 would be extremely prejudicial to Petitioner, in part because four separate bench  
4 trials had taken place. [CN 3]

5 {3} In short, Respondent does not now direct this Court to any new fact, law, or  
6 argument that persuades us that our notice of proposed disposition was incorrect.  
7 *See Hennessy v. Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955 P.2d 683 (“Our  
8 courts have repeatedly held that, in summary calendar cases, the burden is on the  
9 party opposing the proposed disposition to clearly point out errors in fact or law.”);  
10 *State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating  
11 that “[a] party responding to a summary calendar notice must come forward and  
12 specifically point out errors of law and fact,” and the repetition of earlier arguments  
13 does not fulfill this requirement), *superseded by statute on other grounds as stated*  
14 *in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. We therefore refer  
15 Respondent to our previous analysis in our proposed summary disposition.

16 {4} For the reasons stated in our notice of proposed disposition and herein, we  
17 affirm.

18 {5} **IT IS SO ORDERED.**

19   
20 **JENNIFER L. ATTREP, Judge**

1 **WE CONCUR:**

2 *Megan P Duffy*  
3 \_\_\_\_\_  
3 **MEGAN P. DUFFY, Judge**

4 *SH*  
5 \_\_\_\_\_

5 **SHAMMARA H. HENDERSON, Judge**