

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

STEVE EDMONDSON,

Plaintiff-Appellee,

v.

T. REESE JANCA,

Defendant-Appellant,

and

GREEN LION MEDIA, LLC,

Defendant.

APPEAL FROM THE DISTRICT COURT OF SOCORRO COUNTY

Mercedes C. Murphy, District Court Judge

Border Law Office, P.A.

Dean Border

Albuquerque, NM

for Appellee

T. Reese Janca

Socorro, NM

Pro Se Appellant

MEMORANDUM OPINION

HENDERSON, Judge.

{1} Appellant appeals from a civil judgment against him. We issued a notice of proposed summary disposition, proposing to affirm, and Appellant has responded

Court of Appeals of New Mexico
Filed 9/3/2026 7:31 AM



Mark Reynolds

No. A-1-CA-42682

1 with a timely memorandum in opposition, which we have duly considered. We
2 remain unpersuaded that our initial proposed disposition was incorrect, and we
3 therefore affirm.

4 {2} Appellant continues to raise assertions of error related to an alleged trial
5 setting on January 19, 2021, that he contends was cancelled by the district court.
6 Appellant initially contended that the district court's cancellation of the trial setting
7 resulted in his inability to be represented by the counsel of his choice.

8 {3} As we noted in our notice of proposed summary disposition, the record
9 indicates that trial in this matter was set for February 17, 2020. [RP 718] On January
10 17, 2020, the district court held a hearing on pending motions, after which it entered
11 an order stating that the case could not proceed until Defendant Green Lion Media,
12 LLC, obtained counsel. [RP 799] The district court stated that trial would be reset at
13 a later date and ordered that Appellant and Defendant Green Lion Media, LLC had
14 sixty days in which to obtain counsel. [RP 799-800]

15 {4} On June 22, 2020, the Woods Law Firm (Roscoe A. Woods) entered a special
16 limited entry of appearance to appear on behalf of Defendant Green Lion Media,
17 LLC for a status hearing scheduled for June 22, 2020. [RP 813] Appellee filed a
18 motion to disqualify Roscoe Woods on June 26, 2020, and the district court entered
19 an order denying the motion on July 15, 2020. [RP 815, 832] The district court
20 thereafter set jury trial for September 27, 2021. [RP 836] On June 4, 2021, however,

1 the Woods Law Firm filed a notice of withdrawal of special limited appearance on
2 the bases that Roscoe Woods had been appointed as a Seventh Judicial District Judge
3 and the scope of representation pursuant to the special limited appearance had
4 concluded. [RP 841]

5 {5} We therefore noted that the record did not support Appellant’s contention that
6 trial was ever set for January 19, 2021. Appellant refers us to the audio log notes of
7 the July 15, 2021 hearing, on Appellee’s motion to disqualify the Woods Law Firm
8 from representing Appellant. Based on our review of the audio recording of that
9 hearing, the district court initially indicated that it intended to set a hearing for
10 January 19, 2021. [FTR: 7/15/2020: 11:22:33] For reasons that are unclear from the
11 record, however, the district court did not set a January 19, 2021 trial date. We
12 further note that the attachments to Appellant’s response to Appellee’s motion to
13 dismiss his counterclaims indicate that on January 11, 2021, Attorney Roscoe
14 Woods sought a trial setting in this matter, and asked specifically for the September
15 27, 2021 trial date. [RP 930-31]

16 {6} Appellant continues to assert in his memorandum in opposition that the matter
17 was set for January 19, 2021, and that the district court judge “tampered with factual
18 evidence in the matter before the Court, deleting the evidentiary record of a January
19 19th-22nd 2021 trial” [MIO 1] We understand Appellant to contend that, after
20 denying Appellee’s motion to disqualify Attorney Roscoe Woods, the district court

1 judge cancelled the January 19, 2021 trial setting, to assist Appellee in preventing
2 Appellant from being represented by Attorney Roscoe Woods. [MIO 6] For the
3 reasons set out above, however, the record does not support Appellant’s contention
4 that the district court cancelled a January 19, 2021 trial setting, and then acted to
5 tamper with the court record to hide evidence of the trial setting. [MIO 1-3]
6 Additionally, Appellant’s speculation in this regard is not evidence on which this
7 Court can rely. *See, e.g., Muse v. Muse*, 2009-NMCA-003, ¶ 51, 145 N.M. 451, 200
8 P.3d 104 (stating that the mere assertions of counsel are not evidence).

9 {7} Moreover, the record reflects that Attorney Roscoe Woods’ appointment as a
10 district court judge and the limited nature of his representation of Appellant were the
11 reasons he was ultimately unable to represent Appellant at trial, not the actions of
12 the district court. [RP 841] We therefore reject Appellant’s argument that the district
13 court denied him his right to counsel of choice. *See generally Udall v. Townsend*,
14 1998-NMCA-162, ¶ 3, 126 N.M. 251, 968 P.2d 341 (“While we rely in large part
15 upon the appellant’s statement of the facts, if the record shows otherwise, we will
16 not accept that factual recitation.”). And, to the extent Appellant suggests that this
17 Court has somehow “witnessed and testified” that the evidence in the district court
18 record was intentionally tampered with, we reject this assertion. [MIO 3-4, 8]

19 {8} With respect to Appellant’s remaining arguments regarding judicial bias, the
20 improper denial of Defendant Green Lion Media’s counterclaims, and Appellant’s

1 allegations regarding the actions of district court staff, we continue to rely on the
2 analyses of these issues set out in our notice of proposed summary disposition. [MIO
3 7-9] *See generally State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759
4 P.2d 1003 (stating that “[a] party responding to a summary calendar notice must
5 come forward and specifically point out errors of law and fact,” and explaining that
6 the repetition of earlier arguments does not fulfill this requirement), *superseded by*
7 *statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d
8 374.

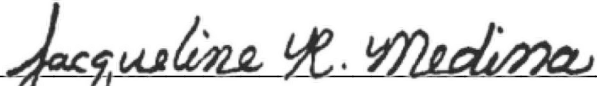
9 {9} For these reasons, and those stated in our notice of proposed disposition and
10 herein, we affirm the district court.

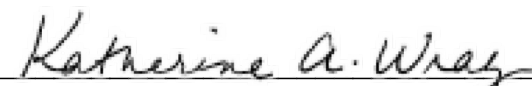
11 {10} **IT IS SO ORDERED.**

12
13 

SHAMMARA H. HENDERSON, Judge

14 **WE CONCUR:**

15 
16 **JACQUELINE R. MEDINA, Chief Judge**

17 
18 **KATHERINE A. WRAY, Judge**