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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

Court of Appeals of New Mexico
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Mark Reynolds

JONATHAN HERNANDEZ,

Plaintiff-Appellant,

v. **No. A-1-CA-42997**

SECOND JUDICIAL DISTRICT COURT OF BERNALILLO COUNTY,

Defendant-Appellee.

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Abigail Aragon, District Court Judge

Jonathan Hernandez
Albuquerque, NM

Pro Se Appellant

Park & Associates, LLC
Geoffrey D. White
Albuquerque, NM

for Appellee

MEMORANDUM OPINION

BACA, Judge.

{1} Plaintiff, a self-represented litigant, appeals from the district court's dismissal of his complaint with prejudice. We issued a calendar notice proposing to affirm. Plaintiff filed a memorandum in opposition, which we have duly considered. Unpersuaded, we affirm.

{2} In the memorandum in opposition, Plaintiff continues to assert the district court erred in dismissing his complaint in its entirety based on its conclusion that Defendant is entitled to absolute judicial immunity. [MIO 1-3; CN 1] Specifically, Plaintiff asserts the district court erred by failing to provide a "conduct-specific" analysis of each allegation of the complaint and that some of the allegations were administrative acts for which Defendant is not entitled to immunity. [MIO 11, 18] We review this matter de novo. *See Hunnicutt v. Sewell*, 2009-NMCA-121, ¶ 8, 147 N.M. 272, 219 P.3d 529.

{3} Judicial immunity protects public bodies from liability when functioning as an "arm of the court" by performing a function that is integral to a judicial proceeding. *Bolen v. N.M. Racing Comm'n*, 2025-NMSC-034, ¶ 41, 578 P.3d 1121. It does not extend to conduct that is not a judicial function, however, such as conduct that "amounts to an administrative act, or when the conduct is taken in the clear absence of all jurisdiction." *Id.* (internal quotation marks and citation omitted). Judicial immunity protects the proper functioning of the office, and courts extend judicial immunity to situations where "absolute immunity is essential for the conduct of the public business." *Id.* ¶ 22 (emphasis, internal quotation marks, and citation omitted). It is also intended to discourage collateral attacks on judicial orders and encourage litigants to rely on established court procedure as the means of correcting judicial error. *Id.* ¶ 23 (citing *Forrester v. White*, 484 U.S. 219, 225 (1988)). Judicial

immunity protects "those who participate in the adjudicatory process." *Id.* ¶ 24 (internal quotation marks and citation omitted). Only "when both the nature of the proceeding and the nature of the challenged conduct merit absolute protection from suit" will judicial immunity protect a public body from liability. *Id.* ¶ 43.

{4} As discussed in our proposed disposition, Plaintiff's domestic relations proceedings, which gave rise to the allegations in the complaint, were judicial in nature. [MIO 4-5; CN 2] *See Hunnicutt*, 2009-NMCA-121, ¶¶ 13-14 (recognizing that judicial immunity is available where the actions at issue are "integrally related to an ongoing judicial proceeding"). Plaintiff concedes this point. [MIO 4]

{5} As to the nature of the alleged conduct, the complaint alleges that Defendant lost, mishandled, improperly processed, or failed to adjudicate filings. [MIO 5-6, 9] Those acts and omissions are judicial in nature, having occurred while Defendant, acting in its capacity as a public body, performed tasks integral to a pending judicial proceeding. *See Bolen*, 2025-NMSC-034, ¶ 40 (identifying characteristics of the judicial process to assist in determining whether an adjudicatory proceeding is sufficiently judicial in nature to warrant immunity); *Hunnicutt*, 2009-NMCA-121, ¶¶ 13-14 (recognizing that judicial immunity is available where the actions at issue "are integrally related not simply to the judicial process in general but to a concrete judicial case or controversy" (internal quotation marks and citation omitted); *cf.* Rule 1-005 NMRA (stating the requirements for the filing of pleadings and other papers).

{6} Plaintiff also tacitly recognizes that at least some of the allegations in the complaint were "clearly judicial" [MIO 14], but asserts that there is a distinction between conduct that has a "relationship to a judicial proceeding" and that which is the "performance of a judicial function." [MIO 5-6] Such a distinction is unpersuasive here, given the above-stated conclusion that both the conduct alleged and the underlying proceedings were judicial in nature. *See Bolen*, 2025-NMSC-034, ¶ 43. To the extent Plaintiff cites to *Forrester*, 484 U.S. 219 as support, we are unpersuaded. [MIO 5, 15] *Forrester* is factually distinguishable because it involved a judge's dismissal of an employee—an act that was entirely separate from any judicial proceeding at the time. *Id.* at 221-222. Because of this factual distinction, *Forrester* lends no support to Plaintiff's argument that the allegations in the complaint in this case are the type of administrative act exempted from the protections of judicial immunity. *See id.* at 229 (concluding that the judge was acting in an administrative capacity in discharging an employee, reasoning that such a decision though important to the efficient operation of a court, was not itself judicial or adjudicative). Plaintiff has not identified any other authority to support his assertion that the entry and processing of filings pertaining to a specific case is anything other than integral to a pending judicial proceeding. [CN 4] *See Curry v. Great Nw. Ins. Co.*, 2014-NMCA-031, ¶ 28, 320 P.3d 482 ("Where a party cites no authority to support an argument, we may assume no such authority exists.").

{7} Plaintiff also asserts that because the "functional classification" of the allegations in the complaint was uncertain, the district court should have provided a "conduct-specific analysis" to allow for "greater particularization." [MIO 10-11] We understand Plaintiff to assert the district court erred by failing to allow Plaintiff to present evidence regarding the allegations and whether they occurred in performance of a task integral to a judicial proceeding. [MIO 11-12, 18] *See Bolen*, 2025-NMSC-034, ¶ 43. Given that both the proceedings and the challenged conduct were judicial in nature, no further inquiry was necessary in the district court. *See id.* ¶ 42 (recognizing that "[i]n some circumstances it may be clear that a claim challenges a judicial function"). Accordingly, we conclude Plaintiff has not demonstrated that the district court erred in concluding Defendant was entitled to absolute judicial immunity.

{8} Plaintiff also continues to assert the district court erred in dismissing the complaint with prejudice without giving Plaintiff leave to amend the complaint. [MIO 19; CN 5] As discussed in our proposed disposition, Plaintiff did not comply with Rule 1-007.1(C) NMRA by failing to file a motion to amend and by failing to provide the district court with a proposed amended complaint. [CN 5] Consequently, Plaintiff's request for leave to amend was insufficient on its face. [CN 5-6] *See Ruegsegger v. W. N.M. Univ. Bd. of Regents*, 2007-NMCA-030, ¶ 13, 141 N.M. 306, 154 P.3d 681 ("[W]henever the insufficiency or futility of the proposed amended

pleading is apparent on its face, leave to amend may be denied because granting the motion would serve no purpose." (internal quotation marks and citation omitted)).

{9} In the memorandum in opposition, Plaintiff points out that he argued to the district court that he could "clarify the administrative nature of the claims" [MIO 20], and he sought to amend the complaint to provide "factual specificity" regarding the "identity of actors, dates, affected filings, how a filing was mishandled, how particular procedures failed, and how alleged injuries resulted" [MIO 22, 24-26]. Plaintiff also asserts that his failure to comply with Rule 1-007.1(C) rendered the district court unable to determine that an amended complaint would be insufficient or futile on its face, reasoning that the absence of a proposed amended complaint "did not itself supply affirmative content showing that every possible amendment would fail." [MIO 20-22] We are unpersuaded.

{10} The district court not only noted Plaintiff's failure to comply with the Rule, but also concluded that Plaintiff had failed to otherwise articulate—in his response to the motion to dismiss or during oral argument—that an amended complaint would not be futile. [RP 60] Plaintiff's memorandum in opposition has not identified anywhere in the record proper where he supplied the district court with the information he hoped to include in an amended complaint. Although Plaintiff makes assertions regarding "missing particulars" that could "bear directly on the threshold

immunity inquiry," he does not articulate further or identify where in the record he provided the district court with such information. [MIO 22]

{11} Accordingly, we conclude Plaintiff has not demonstrated that the district court abused its discretion in denying Plaintiff's request to amend the complaint. *See Ruegsegger*, 2007-NMCA-030, ¶ 12 ("The trial court's decision on a motion to amend is reviewed for abuse of discretion."); *id.* ¶ 13 ("If we conclude that the district court correctly ruled that [the p]laintiff failed to state a valid claim . . . and that failure was not corrected in the proposed amended complaint, we will affirm the district court's decision to deny [the p]laintiff's motion for leave to file the amended complaint.").

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

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

GERALD E. BACA, Judge

WE CONCUR:

SHAMMARA H. HENDERSON, Judge

JANE B. YOHALEM, Judge