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

2 **KARL E. MEHNER and FRANCES J.**  
3 **MEHNER, Husband and Wife,**

4 Plaintiffs-Appellants,

5 v. **No. 33,705**

6 **GERALD HASSELL, and/or his successor,**  
7 **Individually, and in his official capacity as**  
8 **PRESIDENT, and BANK OF NEW YORK, an**  
9 **ens legis being used to conceal fraud; 7 CEDAR**  
10 **LANE, SANDIA PARK, BERNALILLO, COUNTY,**  
11 **NEW MEXICO; ALL PERSONS CLAIMING BY,**  
12 **THROUGH OR UNDER SUCH PERSONS; ALL**  
13 **PERSONS UNKNOWN, CLAIMING ANY LEGAL**  
14 **OR EQUITABLE TITLE, ESTATE, LIEN OR**  
15 **INTEREST IN THE PROPERTY DESCRIBED IN**  
16 **THE ACTION ADVERSE TO TITLEHOLDERS'**  
17 **TITLE THERETO; and JOHN AND JANE DOES**  
18 **(Investors) 1 to 20, XYZ CORPORATIONS 1-10,**  
19 **Inclusive,**

20 Defendants-Appellees,

21 and

22 **ROBERT K. GOULDING and**  
23 **BARBARA M. GOULDING,**

24 Defendants.

25 **APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY**  
26 **Clay Campbell, District Judge**

1 Karl E. Mehner  
2 Frances J. Mehner  
3 Albuquerque, NM

4 Pro Se Appellants

5 Modrall, Sperling, Roehl, Harris & Sisk, P.A.  
6 William R. Keleher  
7 Allison L. Biles  
8 Albuquerque, NM

9 for Appellees

10 Joseph L. Werntz  
11 Albuquerque, NM

12 for Defendants

13 **MEMORANDUM OPINION**

14 **FRY, Judge.**

15 {1} Summary dismissal was proposed for the reasons stated in the calendar notice.  
16 No memorandum opposing summary dismissal has been filed, and the time for doing  
17 so has expired. Dismissed.

18 **IT IS SO ORDERED.**

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**CYNTHIA A. FRY, Judge**

1 **WE CONCUR:**

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3 **RODERICK T. KENNEDY, Chief Judge**

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5 \_\_\_\_\_  
5 **JONATHAN B. SUTIN, Judge**