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

2 **BRENDA C. PRICE,**

3 Plaintiff-Appellant,

4 v.

No. A-1-CA-36357

5 **JP MORGAN CHASE, NA;**
6 **CHASE HOME FINANCE;**
7 **BANK OF AMERICA, NA;**
8 **S&S FINANCIAL GROUP, LLC;**
9 **LINDA SCHOLLER; and**
10 **JEANIE SOULE-MEIHOUS,**

11 Defendants-Appellees.

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

13 **Jeff Foster McElroy, District Judge**

14 Brenda C. Price

15 Taos, NM

16 Pro Se Appellant

17 Weinstein & Riley, P.S.

18 Jason Collis Bousliman

19 Albuquerque, NM

20 for Appellee Bank of America

21 Feferman, Warren & Mattison

22 Richard N. Feferman

1 Albuquerque, NM
2 for Appellees Scholler and Soule-Meihous

3 **MEMORANDUM OPINION**

4 **VIGIL, Judge.**

5 {1} Plaintiff Brenda C. Price, a self-represented litigant, appeals from the district
6 court's omnibus order granting Defendants JP Morgan Chase, NA; Chase Home
7 Finance; Bank of America NA; S&S Financial Group, LLC; Linda Scholler; and
8 Jeanie Soule-Meihous' motions to dismiss and order denying Plaintiff's motions to
9 vacate the dismissal and petition for rehearing. In this Court's notice of proposed
10 disposition, we proposed summary affirmance. When the time for filing a
11 memorandum in opposition expired without Plaintiff having filed any such
12 memorandum in opposition, this Court entered a memorandum opinion affirming the
13 district court's orders. Plaintiff filed a motion for rehearing, which this Court granted.
14 Plaintiff thereafter filed a memorandum in opposition (MIO), which we have duly
15 considered. Remaining unpersuaded, we affirm.

16 {2} The facts, law, and/or arguments asserted in Plaintiff's memorandum in
17 opposition are either addressed by this Court's notice of proposed disposition, or
18 otherwise do not persuade this Court that the district court has erred. *See Hennessy v.*
19 *Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955 P.2d 683 ("Our courts have

1 repeatedly held that, in summary calendar cases, the burden is on the party opposing
2 the proposed disposition to clearly point out errors in fact or law.”); *State v.*
3 *Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that “[a]
4 party responding to a summary calendar notice must come forward and specifically
5 point out errors of law and fact,” and the repetition of earlier arguments does not
6 fulfill this requirement), *superseded by statute on other grounds as stated in State v.*
7 *Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. Accordingly, for the reasons stated in
8 our notice of proposed disposition and herein, we affirm the district court’s orders.

9 {3} **IT IS SO ORDERED.**

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11

MICHAEL E. VIGIL, Judge

12 **WE CONCUR:**

13
14

HENRY M. BOHNHOFF, Judge

15
16

EMIL J. KIEHNE, Judge