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

2 **SALVADOR URIAS,**

3 Plaintiff-Appellant,

4 **v.**

No. 32,463

5 **BLUE DIVOT, INC.,**

6 Defendant-Appellee.

7 **APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY**

8 **Manuel I. Arrieta, District Judge**

9 James Rawley
10 Albuquerque, NM

11 for Appellant

12 Law Offices of Eva K. Rappaport
13 Eva K. Rappaport
14 Albuquerque, NM

15 for Appellee

16 **MEMORANDUM OPINION**

17 **FRY, Judge.**

18 Summary reversal and remand to the district court was proposed for the reasons
19 stated in the calendar notice. No memorandum opposing summary reversal and
20 remand has been filed, and the time for doing so has expired. The district court's

1 order of dismissal is hereby reversed and this case is remanded for further proceedings
2 consistent with our calendar notice.

3 **IT IS SO ORDERED.**

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CYNTHIA A. FRY, Judge

6 **WE CONCUR:**

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JONATHAN B. SUTIN, Judge

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M. MONICA ZAMORA, Judge