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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

2 MICHAEL C. LUCERO,

Petitioner-Appellant,

4 v.

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3

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NO. 32,529

5 APRIL D. THOMPSON,

Respondent-Appellee.

7 APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY 8 Gerard J. Lavelle, District Judge

9 Lastrapes, Spangler & Pacheco10 Phillip E. Marbury11 Rio Rancho, NM

12 for Appellant

13 Kelley Family Law, P.C.

14 Patrick T. Kelley

15 Albuquerque, NM

16 for Appellee

17

MEMORANDUM OPINION

18 VANZI, Judge.

1	Petitioner appeals from a district court order permitting Respondent to relocate
2	the children and modifying custody accordingly. We issued an amended calendar
3	notice proposing to affirm. Petitioner has not filed a memorandum in opposition, and
4	the time for doing so has expired. See Rule 12-210(D)(3) NMRA. Accordingly, we
5	affirm the district court order. See Frick v. Veazey, 116 N.M. 246, 247, 861 P.2d 287,
6	288 (Ct. App. 1993) ("Failure to file a memorandum in opposition constitutes
7	acceptance of the disposition proposed in the calendar notice."). Respondent's motion
8	to expedite mandate is hereby GRANTED .
9	IT IS SO ORDERED.
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11	LINDA M. VANZI, Judge
	<i>,</i> 8
12	WE CONCUR:
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13	WE CONCUR:
13 14	WE CONCUR:
13 14 15	WE CONCUR:
13 14 15	WE CONCUR: RODERICK T. KENNEDY, Chief Judge
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