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

2 **DUSTY STONE,**

3           Plaintiff-Appellant,

4 v.

No. 32,814

5 **ROBIN H. SMITH and ALETA SMITH,**

6           Defendants-Appellees.

7 **APPEAL FROM THE DISTRICT COURT OF QUAY COUNTY**

8 **Albert J. Mitchell, Jr., District Judge**

9 Dusty Stone

10 San Jon, NM

11 Pro se Appellant

12 Donald C. Schutte

13 Tucumcari, NM

14 for Appellees

15   **MEMORANDUM OPINION**

16 **BUSTAMANTE, Judge.**

1 {1} Summary affirmance was proposed for the reasons stated in the third notice of  
2 proposed disposition. No memorandum opposing summary affirmance has been filed,  
3 and the time for doing so has expired.

4 {2} Affirmed.

5 {3} **IT IS SO ORDERED.**

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**MICHAEL D. BUSTAMANTE, Judge**

9 **WE CONCUR:**

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**MICHAEL E. VIGIL, Chief Judge**

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**M. MONICA ZAMORA, Judge**