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

2 **US BANK, NA AS TRUSTEE RELATING TO**  
3 **THE CHEVY CHASE FUNDING LLC**  
4 **MORTGAGE BACKED CERTIFICATES,**  
5 **SERIES 2005-3,**

6           Defendant-Appellee,

7 **v.**

**No. 34,160**

8 **JAY MARTIN PAYNE, an unmarried man, and,**  
9 **ALL UNKNOWN PERSONS WHO MAY BE**  
10 **OCCUPYING 47 CIBOLA CIRCLE, SANTA FE,**  
11 **NM 87505,**

12           Defendants-Appellants.

13 **APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY**

14 **Sarah M. Singleton, District Judge**

15 Vance Chavez & Associates, LLC

16 James A. Chavez

17 Albuquerque, NM

18 for Appellee

19 Jay Martin Payne

20 Santa Fe, NM

1 Pro se Appellant

2 **MEMORANDUM OPINION**

3 **BUSTAMANTE, Judge.**

4 {1} Summary affirmance was proposed for the reasons stated in the notice of  
5 proposed disposition. No memorandum opposing summary affirmance has been filed,  
6 and the time for doing so has expired.

7 {2} Affirmed.

8 {3} **IT IS SO ORDERED.**

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**MICHAEL D. BUSTAMANTE, Judge**

12 **WE CONCUR:**

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**JONATHAN B. SUTIN, Judge**

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**RODERICK T. KENNEDY, Judge**