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

7 **JANELL L. MONTANO, n/k/a**

8 **JANELL L. GRIEGO,**

9 Petitioner-Appellee,

10 v.

No. 34,225

11 **DANNY D. HOWES,**

12 Respondent-Appellant.

13 **APPEAL FROM THE DISTRICT COURT OF MCKINLEY COUNTY**

14 **Grant L. Foutz, District Judge**

15 Advocate Law Center, P.A.

16 Bobbie P. Franklin

17 Gallup, NM

18 for Petitioner-Appellee

19 William G. Stripp

20 Ramah, NM

21 for Respondent-Appellant

22 **MEMORANDUM OPINION**

23 **BUSTAMANTE, Judge.**

1 {1} Respondent appeals from orders and judgments by which he was held in
2 contempt and required to pay child support arrears. We previously issued a notice of
3 proposed summary disposition in which we proposed to affirm. Respondent has filed
4 a memorandum in opposition. After due consideration, we remain unpersuaded by
5 Respondent's assertions of error. We therefore affirm.

6 {2} In his docketing statement Respondent challenged the validity of the 1997 order
7 by which he was originally required to pay child support. [DS 6] We proposed to
8 summarily reject the argument. [CN 3-4] The memorandum in opposition contains
9 nothing that is responsive. [MIO 2-4] The issue is therefore deemed abandoned. *See*
10 *generally State v. Johnson*, 1988-NMCA-029, ¶ 8, 107 N.M. 356, 758 P.2d 306
11 (observing that where a memorandum in opposition does not respond to our proposed
12 summary disposition with respect to an issue, that issue is deemed abandoned).

13 {3} Respondent challenges the award of attorney fees to Petitioner, on grounds that
14 counsel for Petitioner should have been disqualified as a consequence of the law
15 firm's representation of him many years ago. [MIO 2-3] In our notice of proposed
16 summary disposition we observed that none of the rules of professional conduct upon
17 which Respondent has relied would render disqualification mandatory. [CN 2-3] The
18 memorandum in opposition contains neither further argument relative to any of the
19 rules, nor citation to any other authority. Instead, Respondent simply reiterates his

1 belief that the representation was improper based on the firm’s past representation of
2 him, as well as the district court judge’s former association with counsel for Petitioner.
3 [MIO 2-4] Given the absence of supporting legal analysis and authority, we adhere to
4 our initial assessment. *See generally City of Eunice v. N.M. Taxation & Revenue*
5 *Dep’t*, 2014-NMCA-085, ¶ 17, 331 P.3d 986 (“Where a party cites no authority to
6 support an argument, we may assume no such authority exists”); *Corona v. Corona*,
7 2014-NMCA-071, ¶ 26, 329 P.3d 701 (“The appellate court presumes that the district
8 court is correct, and the burden is on the appellant to clearly demonstrate that the
9 district court erred.”).

10 {4} Accordingly, for the reasons stated above and in the notice of proposed
11 summary disposition, we affirm.

12 {5} **IT IS SO ORDERED.**

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MICHAEL D. BUSTAMANTE, Judge

16 **WE CONCUR:**

17 _____
18 **MICHAEL E. VIGIL, Chief Judge**

19 _____
20 **J. MILES HANISEE, Judge**