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

2 **ELVA SANCHEZ HERNANDEZ**  
3 **Spouse and Wrongful Death**  
4 **Administrator of the Estate of**  
5 **IRVING ROBERTO HERNANDEZ,**

6           Worker-Appellant,

7 **v.**

**No. 34,290**

8 **RODRIGO L. ONTIVEROS and**  
9 **ELSA ONTIVEROS d/b/a ROL**  
10 **TRUCKING and LUDWIG**  
11 **CUSTOM HARVEST,**

12           Employer/Insurer-Appellees,

13 **and**

14 **NEW MEXICO UNINSURED**  
15 **EMPLOYERS FUND,**

16           Statutory Third-Party.

17 **APPEAL FROM THE WORKERS' COMPENSATION ADMINISTRATION**  
18 **Leonard J. Padilla, Workers' Compensation Judge**

19 The Riojas Law Firm, P.C.  
20 Robert E. Riojas  
21 El Paso, TX

1 for Appellant

2 Jose A. Howard-Gonzales

3 El Paso, TX

4 for Appellees

5 Richard J. Crollett

6 Albuquerque, NM

7 for Statutory Third Party

8 **MEMORANDUM OPINION**

9 **GARCIA, Judge.**

10 {1} Summary affirmance was proposed for the reasons stated in the notice of  
11 proposed disposition. No memorandum opposing summary affirmance has been  
12 filed, and the time for doing so has expired.

13 {2} Affirmed.

14 {3} **IT IS SO ORDERED.**

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**TIMOTHY L. GARCIA, Judge**

17 **WE CONCUR:**

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19 **MICHAEL E. VIGIL, Chief Judge**

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2 **CYNTHIA A. FRY, Judge**