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

2 **CANDICE MONTEIL,**

3 Plaintiff-Appellee,

4 v.

NO. 34,397

5 **DAVID GOSLIN,**

6 Defendant,

7 and

8 **RONALD BOYD,**

9 Appellant.

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

11 **Sylvia LaMar, District Judge**

12 David F. Cunningham

13 Santa Fe, NM

14 for Appellee

15 Ronald Boyd

16 Santa Fe, NM

17 Pro Se Appellant

18 **MEMORANDUM OPINION**

1 **VIGIL, Chief Judge.**

2 {1} Appellant has appealed from an award of attorney fees, imposed as a sanction
3 for his failure to appear. We previously issued a notice of proposed summary
4 disposition in which we proposed to uphold the award. Appellant has filed a
5 memorandum in opposition. After due consideration, we remain unpersuaded. We
6 therefore affirm.

7 {2} The pertinent background information and applicable principles were
8 previously set out in the notice of proposed summary disposition. We will avoid
9 unnecessary repetition here, and instead focus on the content of the memorandum in
10 opposition.

11 {3} As we previously observed, the award was entered pursuant to the district
12 court's inherent authority. *See generally State ex rel. N.M. Highway & Transp. Dep't*
13 *v. Baca*, 1995-NMSC-033, ¶ 12, 120 N.M. 1, 896 P.2d 1148 (providing that the courts
14 possess the inherent authority independent of statute or rule, to award attorney fees
15 to vindicate judicial authority, *inter alia*). Although Appellant continues to assert that
16 his conduct was not sufficiently culpable to warrant the imposition of sanctions, [MIO
17 1-2] Appellant's failure to appear at the scheduled hearing on the merits, of which he
18 was clearly notified, [RP 85] supplies an adequate basis for the district court's

1 exercise of authority. *See generally In re Jade G.*, 2001-NMCA-058, ¶ 28, 130 N.M.
2 687, 30 P.3d 376 (“Under its inherent authority, a court may sanction parties and
3 attorneys to ensure compliance with the proceedings of the court.”). We perceive no
4 abuse of discretion.

5 {4} Accordingly, for the reasons stated in our notice of proposed summary
6 disposition and above, we affirm.

7 {5} **IT IS SO ORDERED.**

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9

MICHAEL E. VIGIL, Chief Judge

10 **WE CONCUR:**

11
12

JAMES J. WECHSLER, Judge

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14

LINDA M. VANZI, Judge