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

2 **RONALD A. ARMSTRONG and**
3 **AMERICA'S BEST STONE, LLC,**
4 **a New Mexico Limited Liability Company,**

5 Plaintiffs-Appellees,

6 **v.**

No. 34,434

7 **JACK L. ELKINS, II, a/k/a**
8 **JACKIE ELKINS, a/k/a JACK L. ELKINS,**

9 Defendant-Appellant.

10 **APPEAL FROM THE DISTRICT COURT OF MCKINLEY COUNTY**
11 **Grant I. Foutz, District Judge**

12 Mason & Isaacson, P.A.
13 Thomas Lynn Isaacson
14 Gallup, NM

15 for Appellees

16 Business Law Southwest, LLC
17 Donald F. Kochersberger III
18 Alicia M. LaPado
19 Albuquerque, NM

20 Harris Law, P.C.
21 Don F. Harris
22 Albuquerque, NM

1 Albuquerque Business Law, P.C.
2 Jeremy J. Theoret
3 Albuquerque, NM

4 Joshua R. Sims, P.C.
5 Joshua R. Sims
6 Albuquerque, NM

7 for Appellants

8 **MEMORANDUM OPINION**

9 **GARCIA, Judge.**

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

13 {2} The appeal is dismissed for lack a of final order and remanded to the district
14 court for further proceedings.

15 {3} **IT IS SO ORDERED.**

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17

TIMOTHY L. GARCIA, Judge

18 **WE CONCUR:**

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JONATHAN B. SUTIN, Judge

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2 **M. MONICA ZAMORA, Judge**