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

2 **COMMUNITY 1st BANK LAS VEGAS,**

3 Plaintiff-Appellee,

4 **v.**

No. 35,090

5 **QUICK CARE, LLC, a New Mexico**

6 **limited liability company, and**

7 **ALFONSO ARCHULETA,**

8 Defendants-Appellants.

9 **APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY**

10 **Manuel I Arrieta, District Judge**

11 Moses, Dunn, Farmer & Tuthill, P.C.

12 Nathan C. Sprague

13 Albuquerque, NM

14 for Appellee

15 Alfonso Archuleta

16 Las Cruces, NM

17 Pro Se Appellant

18 **MEMORANDUM OPINION**

19 **SUTIN, Judge.**

1 {1} Defendant Alfonso Archuleta appeals, pro se, from a district court order
2 denying a motion to set aside a judgment pursuant to Rule 1-060(B) NMRA. We
3 issued a calendar notice proposing to affirm. Defendant has responded with a pro se
4 memorandum in opposition. We affirm.

5 {2} As we previously observed, Defendant's notice of appeal indicates that he is
6 appealing from two orders. [RP 719] The first order is a January 30, 2014, order that
7 included the denial of his motion to intervene. [RP 461, 722] We note that the ruling
8 was based on the fact that Defendant Archuleta was already a party in the case. [RP
9 461 (¶ 1)] In any event, the matter became moot when Defendant entered into a
10 subsequent settlement and a stipulated order of dismissal with prejudice in August
11 2014. [RP 613]

12 {3} The second order listed on the notice of appeal [RP 719] is a September 22,
13 2015, order that denied Defendant Archuleta's motion to set aside the original
14 judgment. [RP 700] The Rule 1-060(B) motion argued that the judgment should be set
15 aside as applied to Defendant Quick Care, LLC. [RP 617] Our calendar notice
16 proposed to hold that the district court properly denied the motion on the ground that
17 Defendant Archuleta could not represent Defendant Quick Care. *See* LR3-202(B)
18 NMRA (prohibiting pro se parties from representing corporations); *see also* NMSA
19 1978, § 36-2-27 (1999) (prohibiting the unauthorized practice of law). Because

1 Defendant Archuleta's memorandum in opposition continues to attempt to advocate
2 on behalf on Defendant Quick Care, we conclude that he has not established any error
3 below.

4 {4} For the reasons set forth in this Opinion, we affirm.

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

6
7

JONATHAN B. SUTIN, Judge

8 **WE CONCUR:**

9

10 **MICHAEL D. BUSTAMANTE, Judge**

11

12 **STEPHEN G. FRENCH, Judge**