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

2 **WM SPECIALTY MORTGAGE, LLC,**

3 Plaintiff/Counterdefendant-Appellee,

4 v.

No. 35,166

5 **GREG JOHNSON, a/k/a**

6 **GREGORY P. JOHNSON; and**

7 **OLGA JOHNSON,**

8 Defendants/Counterclaimants-Appellants,

9 and

10 **HOME LOAN SERVICES, INC.,**

11 **f/k/a NATIONAL CITY MORTGAGE CO.,**

12 Defendants,

13 and

14 **GREG JOHNSON and OLGA JOHNSON,**

15 Third-Party Plaintiffs,

16 v.

17 **ACCREDITED HOME LENDERS, INC.;**

18 **NATIONWIDE CREDIT, INC.;**

19 **BANK OF AMERICA HOME LOANS;**

1 **WM SPECIALTY MORTGAGE, LLC;**
2 **NATIONAL CITY MORTGAGE, INC.;**
3 **FINANCIAL MORTGAGE GROUP, LLC;**
4 **and MORTGAGE ELECTRONIC**
5 **REGISTRATION SYSTEMS, INC.,**
6 Third-Party Defendants.

7 **APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY**
8 **Nan G. Nash, District Judge**

9 Montgomery & Andrews, P.A.
10 Seth C. McMillan
11 Santa Fe, NM

12 Quilling, Selander, Lownds Winslett & Moser, P.C.
13 Marcie L. Schout
14 Dallas, TX

15 for Appellee WM Specialty Mortgage, LLC

16 JRSPC, LLC
17 Joshua R. Simms
18 Albuquerque, NM

19 for Appellants and Third-Party Plaintiffs Greg and Olga Johnson

20 **MEMORANDUM OPINION**

21 **VIGIL, Judge.**

22 {1} Defendants-Appellants Greg Johnson and Olga Johnson (“Appellants”) seek to
23 appeal from two district court orders: the first one granting summary judgment to
24 Plaintiff-Appellee WM Specialty Mortgage, LLC (“WM”), and Third-Party Defendant
25 Mortgage Electronic Registration Systems, Inc. (“MERS”), [4 RP 1068] and the
26 second one denying Appellants’ motion to dismiss. [4 RP 1070] [DS unnumbered 1]

1 Summary dismissal was proposed for lack of a final order, and we additionally
2 proposed to calendar this case on the merits if a final order was submitted to this Court
3 within the time for filing a memorandum in opposition. On August 29, 2016, WM
4 filed an unopposed motion for extension of time to obtain a final order, and an
5 extension was granted until September 29, 2016. A second request for extension of
6 time was filed by WM, and an extension was granted until October 31, 2016. No
7 further extension requests were made, and a final order has not been filed in this
8 Court.

9 {2} Because no final order has been submitted to this Court, and the time for doing
10 so has expired, we dismiss the appeal.

11 {3} **IT IS SO ORDERED.**

12 {4} **DISMISSED.**

13

14

MICHAEL E. VIGIL, Judge

15 **WE CONCUR:**

16

JAMES J. WECHSLER, Judge

18

J. MILES HANISEE, Judge