

**CABALLERO V. WAGGONER**

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**IN THE MATTER OF THE ESTATE  
OF RAFAELA CABALLERO, Deceased,**

**CARLOS CABALLERO,**  
Petitioner/Cross Respondent-Appellant,  
**v.**  
**EVA WAGGONER,**  
Respondent/Cross Petitioner-Appellee.

No. 31,381

COURT OF APPEALS OF NEW MEXICO

June 15, 2012

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Carl J. Butkus,  
District Judge

**COUNSEL**

R. Carlos Caballero, Albuquerque, NM, Pro Se Appellant

Hurley, Toevs, Styles, Hamblin & Panter, PA, Gregory W. MacKenzie, Albuquerque, NM, Law Offices of Marcus E. Garcia, Marcus E. Garcia, Albuquerque, NM, for Appellee

**JUDGES**

MICHAEL E. VIGIL, Judge. WE CONCUR: JONATHAN B. SUTIN, Judge, LINDA M. VANZI, Judge

**AUTHOR:** MICHAEL E. VIGIL

**MEMORANDUM OPINION**

**VIGIL, Judge.**

Summary affirmance was proposed for the reasons stated in the notice of proposed summary disposition. No memorandum opposing summary affirmance has been filed and the time for doing so has expired.

**AFFIRMED.**

**IT IS SO ORDERED.**

**MICHAEL E. VIGIL, Judge**

**WE CONCUR:**

**JONATHAN B. SUTIN, Judge**

**LINDA M. VANZI, Judge**