

**CHAPARRAL MATERIALS, INC. V. REYNAGA**

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**CHAPARRAL MATERIALS, INC.,**  
Plaintiff-Appellant,  
v.  
**HUGO REYNAGA d/b/a BUILDING**  
**EXPRESS,**  
Defendant  
and  
**HIGH MOUNTAIN HOMES, INC.,**  
Garnishee-Appellee.

NO. 30,063

COURT OF APPEALS OF NEW MEXICO

April 6, 2010

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Valerie Mackie  
Huling, District Judge

**COUNSEL**

Bingham, Hurst, Apodaca & Wile, P.C., Lillian G. Apodaca, Albuquerque, NM, for  
Appellant

Michael F. Menicucci, Albuquerque, NM, for Appellee

**JUDGES**

CYNTHIA A. FRY, Chief Judge. WE CONCUR: MICHAEL D. BUSTAMANTE, Judge,  
MICHAEL E. VIGIL, Judge

**AUTHOR:** CYNTHIA A. FRY

**MEMORANDUM OPINION**

**FRY, Chief Judge.**

On March 22, 2010, Plaintiff-Appellant Chaparral Materials, Inc. filed a response to this Court's calendar notice indicating that it does not contest this Court's proposed summary disposition. Accordingly, for the reasons set forth in this Court's March 2, 2010, calendar notice, we affirm the district court's order granting High Mountain's motion to set aside the November 13, 2007, default judgment.

**IT IS SO ORDERED.**

**CYNTHIA A. FRY, Chief Judge**

**WE CONCUR:**

**MICHAEL D. BUSTAMANTE, Judge**

**MICHAEL E. VIGIL, Judge**