

**CHAND V. RIGGS**

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**NAREND CHAND,**  
Plaintiff-Appellant,  
**v.**  
**JOSEPH RIGGS,**  
Defendant-Appellee.

No. 33,689

COURT OF APPEALS OF NEW MEXICO

November 18, 2014

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Beatrice J.  
Brickhouse, District Judge

**COUNSEL**

Narend Chand, Santa Rosa, NM, Pro Se Appellant.

Montgomery & Andrews PA, Margaret A. Graham, Albuquerque, NM, for Appellee.

**JUDGES**

JONATHAN B. SUTIN, Judge. WE CONCUR: LINDA M. VANZI, Judge, J. MILES HANISEE, Judge

**AUTHOR:** JONATHAN B. SUTIN

**MEMORANDUM OPINION**

**SUTIN, Judge.**

{1} Plaintiff is appealing from a district court order granting Defendant's motion for summary judgment. We issued a calendar notice on August 11, 2014, proposing to affirm. Defendant filed a memorandum in support. Plaintiff has not filed a memorandum in opposition, and the time for doing so has expired. See Rule 12-210(D)(3) NMRA.

Accordingly, we affirm the district court. See *Frick v. Veazey*, 1993-NMCA-119, ¶ 2, 116 N.M. 246, 861 P.2d 287 (“Failure to file a memorandum in opposition constitutes acceptance of the disposition proposed in the calendar notice.”).

**{2} IT IS SO ORDERED.**

**JONATHAN B. SUTIN, Judge**

**WE CONCUR:**

**LINDA M. VANZI, Judge**

**J. MILES HANISEE, Judge**