

**GRUBB V. NM CANCER CENTER, LLC**

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**KAREN GRUBB,**  
Plaintiff-Appellant,

v.

**NEW MEXICO CANCER CENTER, LLC ,  
f/k/a New Mexico Oncology Hematology  
Consultants, and MIKAL SMOKER, P.A.,  
and MIKAL SMOKER, individually,  
Defendants-Appellees.**

No. 32,071

COURT OF APPEALS OF NEW MEXICO

July 23, 2012

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

**COUNSEL**

James A. Mungle, P.A., James A. Mungle, Albuquerque, NM, for Appellant

Allen, Sheperd, Lewis, Syra & Chapman, P.A., Ben M. Allen, Christopher R. Reed,  
Albuquerque, NM, for Appellee New Mexico Cancer Center

Hinkle, Hensley, Shanor & Martin, L.L.P., William P. Slattery, Dana S. Hardy, Santa Fe,  
NM, for Appellee Mikal Smoker

**JUDGES**

RODERICK T. KENNEDY, Judge. WE CONCUR: JAMES J. WECHSLER, Judge,  
CYNTHIA A. FRY, Judge

**AUTHOR:** RODERICK T. KENNEDY

**MEMORANDUM OPINION**

**KENNEDY, Judge.**

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

**DISMISSED.**

**IT IS SO ORDERED.**

**RODERICK T. KENNEDY, Judge**

**WE CONCUR:**

**JAMES J. WECHSLER, Judge**

**CYNTHIA A. FRY, Judge**