

LEWIS V. SHARPE

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NANCY LEWIS,
Plaintiff-Appellant,
v.
TOM SHARPE and THE
SANTA FE NEW MEXICAN,
Defendants-Appellees.

NO. 31,210

COURT OF APPEALS OF NEW MEXICO

July 28, 2011

APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY, Raymond Z. Ortiz,
District Judge

COUNSEL

Nancy Lewis, Santa Fe, NM, Pro Se Appellant

Victor R. Marshall, Albuquerque, NM, for Appellee

JUDGES

LINDA M. VANZI, Judge. WE CONCUR: JAMES J. WECHSLER, Judge, MICHAEL E. VIGIL, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Judge.

Plaintiff is appealing, pro se, from a district court judgment entered after a bench trial on her complaint for invasion of privacy and false light. We issued a calendar notice

proposing to affirm. Plaintiff has responded with a timely memorandum in opposition. We affirm.

Plaintiff continues to claim that the evidence supported her complaint for invasion of privacy and false light. See generally *McNutt v. N.M. State Tribune Co.*, 88 N.M. 162, 165, 538 P.2d 804, 807 (Ct. App. 1975) (recognizing tort of invasion of privacy). The tort of invasion of privacy is broken down into four categories: false light, intrusion, publication of private facts, and appropriation. See *Moore v. Sun Publ'g Corp.*, 118 N.M. 375, 383, 881 P.2d 735, 743 (Ct. App. 1994). In this case, the district court, sitting as factfinder in the bench trial, entered a number of findings both as to the substantive facts and the credibility of the parties and reportage. [RP 201] Most importantly, the district court found that the reportage was substantially true and that Defendants acted with due care and without negligence. [RP 201] Although Plaintiff disputes the court's findings and credibility determinations, our standard of review compels us to defer to the court's findings because the record indicates that these matters were in dispute and substantial evidence supported the court's reconciliation of the disputed facts. See *Lopez v. Adams*, 116 N.M. 757, 758, 867 P.2d 427, 428 (Ct. App. 1993) ("It is for the trial court to weigh the testimony, determine the credibility of witnesses, reconcile inconsistent statements, and determine where the truth lies."). In light of our standard of review, we affirm the judgment.

IT IS SO ORDERED.

LINDA M. VANZI, Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

MICHAEL E. VIGIL, Judge