

OLSON V. OLSON

This memorandum opinion was not selected for publication in the New Mexico Appellate Reports. Please see Rule 12-405 NMRA for restrictions on the citation of unpublished memorandum opinions. Please also note that this electronic memorandum opinion may contain computer-generated errors or other deviations from the official paper version filed by the Court of Appeals and does not include the filing date.

MISTY OLSON,
Petitioner-Appellant,
v.
SCOTT OLSON,
Respondent-Appellee.

No. 35,707

COURT OF APPEALS OF NEW MEXICO

April 3, 2017

APPEAL FROM THE DISTRICT COURT OF SANDOVAL COUNTY, Cheryl H.
Johnston, District Judge

COUNSEL

Atler Law Firm, P.C., Timothy J. Atler, Albuquerque, NM, Roybal-Mack & Cordova, P.C.,
Antonia Roybal-Mack, Albuquerque, NM, for Appellant

Frazier Law Office, William E. Frazier, Crystal E. Lees, Albuquerque, NM, for Appellee

JUDGES

LINDA M. VANZI, Chief Judge. WE CONCUR: M. MONICA ZAMORA, Judge, J. MILES
HANISEE, Judge

AUTHOR: LINDA M. VANZI

MEMORANDUM OPINION

VANZI, Chief Judge.

{1} Petitioner appeals from the district court's order adopting the child support hearing officer's report and recommendations. This Court issued a notice of proposed disposition in which we proposed to reverse the district court's order. A memorandum in

support of our proposed summary disposition was filed by Petitioner. However, no memorandum opposing summary reversal has been filed, and the time for doing so has expired. See *Hennessey v. Duryea*, 1998-NMCA-036, ¶ 24, 124 N.M. 754, 955 P.2d 683 (“Our courts have repeatedly held that, in summary calendar cases, the burden is on the party opposing the proposed disposition to clearly point out errors in fact or law.”).

{2} Accordingly, for the reasons stated in this Court’s notice of proposed disposition, we reverse and remand for further proceedings in compliance with Rule 1-053.2 NMRA and *Buffington v. McGorty*, 2004-NMCA-092, 136 N.M. 226, 96 P.3d 787, to sufficiently establish the basis for the district court’s actions.

{3} IT IS SO ORDERED.

LINDA M. VANZI, Chief Judge

WE CONCUR:

M. MONICA ZAMORA, Judge

J. MILES HANISEE, Judge