

SOWARDS V. BIOTRONIK

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**TOMMY SOWARDS and
BARBARA SOWARDS
Plaintiffs-Appellants,
v.
BIOTRONIK, INC. and
EDWARD TAGUE,
Defendants-Appellees.**

NO. 34,373

COURT OF APPEALS OF NEW MEXICO

April 14, 2015

APPEAL FROM THE DISTRICT COURT OF DOÑA ANA COUNTY, Douglas R.
Driggers, District Judge

COUNSEL

McGinn, Carpenter, Montoya & Love, PA, Randi McGinn, Kathy Love, Michael Sievers,
Albuquerque, NM, for Appellants

Cervantes Law Firm, Joseph Cervantes, Las Cruces, NM, Holland & Knight, LLP,
William F. Gould, Kelly Krystyniak, Washington, D.C., Modrall, Sperling, Roehl, Harris &
Sisk, P.A., Alex C. Walker, Albuquerque, NM, for Appellee Biotronik, Inc.

Silva & Associates, P.C., Benjamin Silva, Jr., Michael Hughes, Albuquerque, NM, for
Appellee Edward Tague

JUDGES

JAMES J. WECHSLER, Judge. WE CONCUR: JONATHAN B. SUTIN, Judge,
RODERICK T. KENNEDY, Judge

AUTHOR: JAMES J. WECHSLER

MEMORANDUM OPINION

WECHSLER, Judge.

{1} Plaintiffs filed an appeal following the judgment entered in this case. We proposed to dismiss the appeal for lack of a final, appealable order. In response, the parties have filed a joint memorandum supporting the proposed dismissal. Therefore, for the reasons discussed in the notice of proposed disposition, we dismiss this appeal without prejudice. This Court will retain the record proper for a reasonable period of time for use in any subsequent appeal that might result from this case once a final, appealable order is filed. The parties are hereby ordered to notify the Court immediately should the case be resolved in mediation or otherwise, or once the parties are aware that no further appeals will be filed in this case.

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

JAMES J. WECHSLER, Judge

WE CONCUR:

JONATHAN B. SUTIN, Judge

RODERICK T. KENNEDY, Judge