

STEP UP V. BATAVIA

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STEP UP, LLC,
Plaintiff-Appellant

v.

**ERIC BATAVIA d/b/a BATAVIA
MACHINERY AND THREE RIVERS
MACHINERY,**
Defendants-Appellees.

NO. 30,257

COURT OF APPEALS OF NEW MEXICO

November 5, 2010

APPEAL FROM THE DISTRICT COURT OF SIERRA COUNTY, Kevin Sweazea,
District Judge

COUNSEL

Mark A. Filosa, Truth or Consequences, NM, for Appellant

Sandenaw Law Firm, P.C., Cody R. Rogers, Las Cruces, NM, Hinkle, Hensley, Shanor
& Martin, LLP, Roswell, NM, for Appellees

JUDGES

CYNTHIA A. FRY, Chief Judge. WE CONCUR: JAMES J. WECHSLER, Judge,
MICHAEL E. VIGIL, Judge

AUTHOR: CYNTHIA A. FRY

MEMORANDUM OPINION

FRY, Chief Judge.

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

AFFIRMED.

IT IS SO ORDERED.

CYNTHIA A. FRY, Chief Judge

WE CONCUR:

JAMES J. WECHSLER, Judge

MICHAEL E. VIGIL, Judge