

AEI NET LEASE INCOME & GROWTH FUND V. BENSON

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**AEI NET LEASE INCOME & GROWTH
FUND XX, Limited Partnership; GLENN
FRESE, Successor Trustee of the Simcoe
Trust; HIGHGROVE CONSULTING
AGENCY, INC.; and JOAN KOLLER,
Trustee of the Joan Koller Trust,
Plaintiffs-Appellees,
v.
MARK A. BENSON, Trustee of the Mark
A. Benson Living Trust,
Defendant-Appellant.**

No. A-1-CA-36796

COURT OF APPEALS OF NEW MEXICO

September 10, 2018

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY, Nancy Jean
Franchini, District Judge

COUNSEL

Leslie McCarthy Apodaca, Albuquerque, NM., for Appellees

Fuqua Law & Policy, PC, Scott Fuqua, Santa Fe, NM, for Appellant

JUDGES

MICHAEL E. VIGIL, Judge. WE CONCUR: LINDA M. VANZI, Chief Judge, DANIEL J. GALLEGOS, Judge

AUTHOR: MICHAEL E. VIGIL

MEMORANDUM OPINION

VIGIL, Judge.

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

{2} AFFIRMED.

{3} IT IS SO ORDERED.

MICHAEL E. VIGIL, Judge

WE CONCUR:

LINDA M. VANZI, Chief Judge

DANIEL J. GALLEGOS, Judge