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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

**FEDERAL NATIONAL MORTGAGE
ASSOCIATION,**

Plaintiff-Appellee,

v.

NO. A-1-CA-37680

ARTHUR R. ARCHULETA,

Defendant-Appellant,

and

**NICOLE D. ARCHULETA and NEW
MEXICO TAXATION AND REVENUE
DEPARTMENT,**

Defendants.

**APPEAL FROM THE DISTRICT COURT OF SAN MIGUEL COUNTY
Abigail Aragon, District Judge**

Rose L. Brand & Associates, P.C.
Eraina M. Edwards
Andrew P. Yarrington
Albuquerque, NM

for Appellee

Arthur R. Archuleta
Las Vegas, NM

Pro Se Appellant

MEMORANDUM OPINION

VARGAS, Judge.

{1} Arthur R. Archuleta (Defendant), a self-represented litigant, appeals from (1) the summary and stipulated judgment, default foreclosure judgment, order for foreclosure sale, and order denying motion to compel, and (2) the order confirming sale and special master's report. In this Court's notice of proposed disposition, we proposed to summarily affirm. Defendant filed a memorandum in opposition, which we have duly considered. Unpersuaded, we affirm.

{2} In his memorandum in opposition, Defendant continues to argue that the district court erred in finding that Plaintiff had standing to foreclose and in granting Plaintiff a writ of execution in its order confirming sale. [See MIO 1-4] Although Defendant continues to make such arguments, pointing to apparent discrepancies in dates or documents, we remain unpersuaded that the district court erred and are consequently unpersuaded that our proposed disposition was incorrect. See *Hennessy 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."); *State v. Mondragon*, 1988-NMCA-027, ¶ 10, 107 N.M. 421, 759 P.2d 1003 (stating that a party responding to a summary calendar notice must come forward and specifically point out errors of law and fact, and the repetition of earlier arguments does not fulfill this requirement), *superseded by statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374. We therefore refer Defendant to the analysis contained within our calendar notice.

{3} We additionally note that, although Defendant apparently believes Plaintiff may not have properly possessed the note, the evidence presented to the district court nonetheless supports its conclusion that Plaintiff was in physical possession of the note, indorsed in blank, when the complaint was filed. Defendant's arguments to the contrary are unpersuasive as a matter of law.

{4} Accordingly, for the reasons stated in our notice of proposed disposition and herein, we affirm.

{5} IT IS SO ORDERED.

JULIE J. VARGAS, Judge

WE CONCUR:

M. MONICA ZAMORA, Chief Judge

BRIANA H. ZAMORA, Judge