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**IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

**No. A-1-CA-38228**

**JOANN MICHELBACK,**

Petitioner-Appellee,

v.

**DIEGO RASCON,**

Respondent-Appellant.

**APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY**  
**Victor S. Lopez, District Judge**

Joann Michelback  
Albuquerque, NM

Pro Se Appellee

Diego Rascon  
Santa Fe, NM

Pro Se Appellant

**MEMORANDUM OPINION**

**VARGAS, 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. **AFFIRMED.**

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

**JULIE J. VARGAS, Judge**

**WE CONCUR:**

**JACQUELINE R. MEDINA, Judge**

**BRIANA H. ZAMORA, Judge**