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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-37866

**AIMEE HITTINGER, as Personal
Representative of the Estate of
Mark Owens Burrows,**

Plaintiff-Appellant,

v.

**ESSENCE OF LIGHT, INC., d/b/a
TIERRA DE SUENO, INC., d/b/a
LA PALOMA HOT SPRINGS & SPA;
MELEASA MALZAHN; and DANIEL
WILKERSON,**

Defendants-Appellees.

**APPEAL FROM THE DISTRICT COURT OF SIERRA COUNTY
Mercedes C. Murphy, District Judge**

Sandoval Firm
Richard A. Sandoval
Santa Fe, NM

Collins & Collins, P.C.
Parrish Collins
Albuquerque, NM

for Appellant

Guebert Gentile & Piazza PC
Lawrence A. Junker
Albuquerque, NM

Lewis, Brisbois, Bisgaard & Smith LLP
Gregory L. Biehler
Albuquerque, NM

for Appellee

MEMORANDUM OPINION

HANISEE, Chief Judge.

{1} Plaintiff appeals from the district court's entry of summary judgment in favor of Defendants and denial of Plaintiff's motion for reconsideration. This Court issued a calendar notice proposing to affirm the district court's order on December 21, 2020. On January 6, 2021, Defendants filed a memorandum in support of this Court's notice of proposed disposition. On January 7, 2021, Plaintiff filed a motion for an extension of time to file a memorandum in opposition, which this Court granted, extending Plaintiff's time to file such a memorandum until February 22, 2021. As of this date, Plaintiff has not filed a memorandum in opposition to this Court's notice of proposed disposition, and the extended time for doing so has now run. Accordingly, we rely on the reasoning set out in this Court's notice of proposed disposition and we affirm.

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

J. MILES HANISEE, Chief Judge

WE CONCUR:

JENNIFER L. ATTREP, Judge

ZACHARY A. IVES, Judge