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

**No. A-1-CA-39414**

**KERRY KRUSKAL,**

Plaintiff-Appellant,

v.

**TAOS DINER,**

Defendant-Appellee.

**APPEAL FROM THE DISTRICT COURT OF TAOS COUNTY**  
**Emilio J. Chavez, District Judge**

Kerry Kruskal  
Arroyo Seco, NM

Pro Se Appellant

Taos Diner  
El Prado, NM

Pro Se Appellee

**MEMORANDUM OPINION**

**DUFFY, 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.**

**MEGAN P. DUFFY, Judge**

**WE CONCUR:**

**SHAMMARA H. HENDERSON, Judge**

**JANE B. YOHALEM, Judge**