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

**No. A-1-CA-40018**

**STATE OF NEW MEXICO ex rel.  
CHILDREN, YOUTH & FAMILIES  
DEPARTMENT,**

Petitioner-Appellee,

v.

**JASON M.,**

Respondent-Appellant,

and

**SHANNON U.,**

Respondent,

**IN THE MATTER OF JAY  
DECLAN M.,**

Child.

**APPEAL FROM THE DISTRICT COURT OF SANTA FE COUNTY  
Kathleen A. McGarry, District Judge**

Children, Youth & Families Department  
Mary McQueeney, Acting Chief Children's Court Attorney  
Santa Fe, NM  
Kelly P. O'Neill, Children's Court Attorney  
Albuquerque, NM

for Appellee

Cravens Law LLC  
Richard H. Cravens IV  
Albuquerque, NM

for Appellant

Ernest O. Pacheco  
Santa Fe, NM

Guardian Ad Litem

## MEMORANDUM OPINION

**ATTREP, Judge.**

{1} Jason M. (Father) appeals the termination of his parental rights. [MIO 3] In our notice of proposed disposition, we proposed to affirm. [CN 1, 6] Father filed a memorandum in opposition that we have duly considered. Remaining unpersuaded, we affirm.

{2} In his memorandum in opposition, Father maintains, pursuant to *State ex rel. Child., Youth & Fams. Dep't v. Alicia P.*, 1999-NMCA-098, ¶¶ 7-8, 127 N.M. 664, P.2d 460, that the Children, Youth and Families Department (the Department) did not make reasonable efforts to assist him in alleviating the causes and conditions that brought Child into custody. [MIO 3] Father has not asserted any new facts, law, or argument that persuade this Court that our notice of proposed disposition was erroneous. 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point out errors of law and fact, and the repetition of earlier arguments does not fulfill this requirement), *superseded by statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374.

{3} Thus, for the reasons stated in our notice of proposed disposition and herein, we affirm the termination of Father’s parental rights.

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

**JENNIFER L. ATTREP, Judge**

**WE CONCUR:**

**MEGAN P. DUFFY, Judge**

**JANE B. YOHALEM, Judge**