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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-40537

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

Petitioner-Appellee,

v.

GERALDO G.,

Respondent-Appellant,

and

JASMINE T.,

Respondent,

**IN THE MATTER OF ISAIAH G.,
OLIVIA G., and NOAH T.,**

Children.

**APPEAL FROM THE DISTRICT COURT OF LEA COUNTY
Lee A. Kirksey, District Judge**

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

for Appellee

Cravens Law LLC
Richard H. Cravens, IV

Albuquerque, NM

for Appellant

Laura K. Castillo
Hobbs, NM

Guardian Ad Litem

MEMORANDUM OPINION

IVES, Judge.

{1} Respondent Geraldo G. (Father) appeals from the district court's judgment terminating his parental rights. [3 RP 728-56] In this Court's notice of proposed disposition, we proposed summary affirmance. [CN 9] Father filed a memorandum in opposition, which we have duly considered. Remaining unpersuaded, we affirm.

{2} In his memorandum in opposition, Father repeats the presentation of the issues and facts asserted and argued in Father's docketing statement. [MIO 7-9] Father has not asserted any 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point out errors of law and fact, and the repetition of earlier arguments does not fulfill this requirement), *superseded by statute on other grounds as stated in State v. Harris*, 2013-NMCA-031, ¶ 3, 297 P.3d 374.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} Accordingly, 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.

ZACHARY A. IVES, Judge

WE CONCUR:

JACQUELINE R. MEDINA, Judge

JANE B. YOHALEM, Judge