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IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

MARGETTE WEBSTER and
DAVID WEBSTER,

Plaintiffs-Appellees,

vs. **NO. 32,885**

EMMA SERNA, d/b/a SERNA &
ASSOCIATES CONSTRUCTION
CO., LLC., a/k/a SERNA &
ASSOCIATES, LLC,

Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY
Denise Barela Shepherd, District Judge

Alex Chisholm
Albuquerque, NM

for Appellees

Emma Serna
Albuquerque

Pro se Appellant

MEMORANDUM OPINION

GARCIA, Judge.

{1} Defendant seeks to appeal from an order awarding summary judgment to a former co-defendant, and a subsequent order denying a motion for reconsideration. We issued a notice of proposed summary disposition, proposing to dismiss. Defendant filed a memorandum in opposition. After due consideration, we dismiss the appeal.

{2} As described at greater length in the notice of proposed summary disposition, notice of appeal was not timely filed with respect to the former order, and with respect to the latter order, the proceedings are not final. Nothing in Defendant's responsive memorandum takes issue with our analysis relative to timeliness and finality. We therefore adhere to our prior assessment of these matters.

{3} In closing, we acknowledge Defendant's continuing belief that the district court has erred. [MIO I-III] However, this does not alter or diminish the jurisdictional limitations implicated in this case.

{} Accordingly, for the reasons stated above and in the notice of proposed summary disposition, we remain unpersuaded that this matter is properly before us. The appeal is therefore summarily dismissed.

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

TIMOTHY L. GARCIA, Judge

WE CONCUR:

MICHAEL D. BUSTAMANTE, Judge

JONATHAN B. SUTIN, Judge