COURT OF APPEALS
OF THE STATE OF NEW MEXICO

BOARD OF TRUSTEES OF CEBOLLETA LAND GRANT,
Plaintiff,

v.

ROBERT ARMIJO, CEBOLLETA RANCH LTD., SILVER DOLLAR RANCH LLC, PUEBLO OF LAGUNA, and All Unknown Claimants of Interest in the Premises Adverse to Plaintiff,
Defendants;

ROBERT ARMIJO,
Cross-Claim Plaintiff-Appellee,

v. No. 29,893

PUEBLO OF LAGUNA,
Cross-Claim Defendant-Appellant.

Interlocutory Appeal from the Thirteenth Judicial District Court
Cibola County, Honorable William A. Sanchez
No. D-1333-CV-2008-0405

PUEBLO OF LAGUNA'S REPLY BRIEF

Daniel I.S.J. Rey-Bear
Nordhaus Law Firm, LLP
405 Dr. Martin Luther King, Jr. Ave. NE
Albuquerque, NM 87102
Telephone: 505-243-4275

Attorneys for the Pueblo of Laguna

ORAL ARGUMENT IS REQUESTED

April 19, 2010

TABLE OF CONTENTS

TABLE OF AUTHORITIES

NEW MEXICO STATUTES

NEW MEXICO RULES

NEW MEXICO CASES

FEDERAL CASES

OTHER AUTHORITIES

SUMMARY OF FACTS AND PROCEEDINGS

Several unfounded factual assertions by Robert Armijo ("Armijo") in his Answer Brief warrant reply. First, Armijo asserts that the subject property was "originally" part of the Cebolleta Land Grant. Ans. Br. at 2. In fact, as any student of New Mexico history knows, "Spanish land grants did not take place upon an empty landscape." Denise Holladay Damico, *The Cebolleta Land Grant: Multicultural Cooperation and Contention*, 48 Nat. Resources J. 963, 965 (2008). In particular, "[t]he colonists of Cebolleta built their farms and ranches upon land controlled and used by both Laguna Pueblo and local Navajo bands at various times." *Id.*; *cf. Pueblo of Laguna v. United States*, 17 Ind. Cl. Comm. 615, 651 (1967) ("Approximately the southern half of the Cebolleta Grant lies within the exterior boundaries of the lands herein claimed by the Pueblo of Laguna under original Indian title."). Also, that history is largely irrelevant for this appeal.

Second, Armijo complains of the Pueblo "alleging background facts of a quiet title action . . . ." Ans. Br. at 2. In reality, the Pueblo has requested judicial notice of two prior title decrees from which the Pueblo's title to the subject property derives. *See* Br. in Chief at 2 & nn. 1-2. That judicial notice is required because the Pueblo has requested it and provided the necessary information and Armijo has not objected and has no basis for such an objection. *See id.*; Rule 11-201(D), (F) NMRA; *City of Aztec v. Gurule*, 2010-NMSC-006, ¶¶ 6, 12, 2010 WL

1136278, __ N.M. __, __ P.3d __. Moreover, before the district court, Armijo expressly stipulated to dismissal of the quiet title complaint in this action by the Board of Trustees of Cebolleta Land Grant ("Board") and dismissal of his counterclaims against the Board "based on the preclusive effect of the prior quiet title decree between the Board and the Pueblo's predecessor in title." Record Proper ("RP") 118. The Pueblo's title here is a stipulated, judicially noticed fact.

Third, Armijo alleges that he "has kept cattle and other livestock on Section 16[1] for more than 20 years, . . . maintaining constant possession of the land." Ans. Br. at 5. In fact, since the Pueblo purchased the property in April 2008, RP 106-107 (deed), the Pueblo has been in exclusive possession of it, conducted almost daily inspections, and never had a report or seen evidence of livestock there, including from a motion-activated camera, RP 177-180 (affidavit). And at a presentment hearing, after noting an offer of proof from the Pueblo reconfirming this matter based on proposed testimony of three officials, the district court specifically cautioned Armijo's attorney to "carefully consider" having Armijo testify on this matter because of possible perjury, and ultimately ordered preservation of the status quo. Tr. (Sept. 28, 2009) 6-7, 10-20; RP 186 (order).

---

[1] A recent survey review for the subject property indicates that it consists of approximately 542.7 acres of land (i.e., almost 100 acres less than a full section), located mainly in Section 16 and partly in Section 21 in projected Township 12 North, Range 6 West, N.M.P.M. For the sake of simplicity and given the lack of a developed factual record on this matter, it is still referred to here simply as "Section 16".

ARGUMENT

Proper application of tribal sovereign immunity mandates dismissal of Armijo's adverse possession claims against the Pueblo and others. Governing precedent holds that tribal sovereign immunity precludes claims against Indian tribes concerning off-reservation, nongovernmental matters, and that equitable principles are irrelevant. Moreover, nothing about the fact that this case concerns a state law title claim avoids this controlling federal bar to subject-matter jurisdiction. In addition, given the Pueblo's immunity, a ruling on indispensability should logically follow since all the relevant facts are known and the law is clear.

I. Tribal Sovereign Immunity Bars Subject-Matter Jurisdiction Over Claims Against Indian Tribes Regardless of Armijo's Asserted Equities.

Armijo argues that the Pueblo should not be "given special privileges beyond those afforded ordinary citizens" and that tribal sovereign immunity is inequitable and should not bar state or local laws affecting fee land. Ans. Br. at 4, 14-16. As support, Armijo nonsensically cites cases that recognize tribes' immunity from suit notwithstanding purported inequities, and he asserts that a consideration of equities here favors him. *Id.* at 4-5.

Armjio improperly ignores that Indian tribes are not citizens, but sovereign governments. *See United States v. Lara*, 541 U.S. 193, 210 (2004); *United States v. Wheeler*, 435 U.S. 313, 328 (1978); *Talton v. Mayes*, 163 U.S. 376, 380-84 (1896); *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515, 581 (1832); *Cherokee Nation*

v. Georgia, 30 U.S. 1, 17 (1831). Also, Armijo does not respond to and cannot avoid the precedent that "'Indian tribes have long been recognized as possessing the common-law immunity from suit traditionally enjoyed by sovereign powers[,]" that "tribal immunity is a matter of federal law and is not subject to diminution by the states[,]" and that, absent congressional abrogation or tribal waiver, "state courts lack the power to entertain lawsuits against tribal entities." Br. in Chief at 6-7; *Gallegos v. Pueblo of Tesuque*, 2002-NMSC-012, ¶ 7, 132 N.M. 207, 46 P.3d 668 (quoting *Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 58 (1978)). Therefore, application of tribal sovereign immunity bars state court subject-matter jurisdiction here. *See* Br. in Chief at 6; *Gallegos*, 2002-NMSC-012, ¶ 7; *Holguin v. Tsay Corp.*, 2009-NMCA-056, ¶¶ 3, 9, 146 N.M. 346, 210 P.3d 243.

In addition, Armjio does not and cannot respond to governing federal cases which hold that tribal sovereign immunity precludes lawsuits seeking to enforce state law even where states may tax and regulate. Br. in Chief at 9; *Kiowa Tribe of Okla. v. Mfg. Techs., Inc.* ("*Kiowa*"), 523 U.S. 751, 755 (1998); *Oklahoma Tax Comm'n v. Citizen Band Potawatomi Indian Tribe* ("*Potawatomi*"), 498 U.S. 505, 510, 514 (1991). In this, Armijo impermissibly ignores that "[t]here is a difference between the right to demand compliance with state laws and the means available to enforce them." *Kiowa*, 523 U.S. at 755 (citing *Potawatomi*, 498 U.S. at 514).

Next, Armijo's claims about equity and constitutional scrutiny, Ans. Br. at 4-5, 15-16, provide no legal support for the district court's ruling that "basic fairness" prevented it from granting the Pueblo's motion to dismiss, RP 216. State cases relied on by Armijo confirm that "'the public interest in protecting tribal sovereign immunity surpasses a plaintiff[']s interest in having an available forum for suit[,]'" *Gallegos*, 2002-NMSC-012, ¶ 51 (quoting *Srader v. Verant*, 1998-NMSC-025, ¶ 33, 125 N.M. 521, 964 P.2d 82), and that tribal sovereign immunity is a "legitimate legal doctrine" that this Court must follow, *Hoffman v. Sandia Resort & Casino*, 2010-NMCA-___, ¶¶ 5-6, No. 28,444 (N.M. Ct. App. Jan. 26, 2010). Also, governing federal cases confirm that "perceived inequities arising from the assertion of immunity" are irrelevant. *Ute Distribution Corp. v. Ute Indian Tribe*, 149 F.3d 1260, 1267 (10th Cir. 1998) (citing *Kiowa*, *Potawatomi*, and *Martinez*); *see also Native American Distrib. v. Seneca-Cayuga Tobacco Co.*, 546 F.3d 1288, 1295 (10th Cir. 2008) (quoting *Kiowa* and *Ute Distribution Corp.*). Indeed, if consideration of equities were relevant, stronger justifications exist for tribal sovereign immunity than for state sovereign immunity. Catherine T. Struve, *Tribal Immunity and Tribal Courts*, 36 Ariz. State L.J. 137, 166-70 (2004).

Finally, Armijo's arguments and the district court ruling about equity and fairness are factually unfounded. Contrary to Armijo's appellate allegations, the Pueblo has been in exclusive possession of the subject property since its purchase

of twice-quieted title in April 2008, and that situation has been preserved as the status quo on appeal. *See L Bar Cattle Co. v. Board of Trustees of Town of Cebolleta Land Grant* ("L Bar"), 46 N.M. 26, 120 P.2d 432 (1941); RP 40-56 (1986 decree and 1987 appeal decision), 106-107 (2008 deed), 177-180 (affidavit), 186 (order); Tr. (Sept. 28, 2009) 6-7, 10-20. Also, the Board from which Armijo claims title, and of which Armijo may have been a member during one of the prior quiet title actions, RP 36; Br. in Chief at 3 n.3, itself initiated this action to contest Armijo's claim to the property, RP 6-8, thereby suggesting that Armijo's claim may be fraudulent. *See In re Estate of Duran*, 2003-NMSC-008, ¶ 21, 133 N.M. 553, 66 P.3d 326. Furthermore, Armijo did not assert his own claims until almost a year after the Pueblo's purchase of the property, RP 106-12, and he does not now deny that he still has a remedy in his counterclaim for breach of warranty covenants against the Board once he is realigned and substituted as the plaintiff.

II. Governing Precedent Applies Tribal Sovereign Immunity to Off-Reservation Fee Land.

Armijo also argues that tribal sovereign immunity does not apply to off-reservation land-title issues, but he cites no governing authority that supports his position, and there is none. First, Armijo misplaces reliance on *City of Sherrill v. Oneida Indian Nation* ("*Sherrill*"), 544 U.S. 197 (2005), and *Oneida Tribe of Wisconsin v. Village of Hobart* ("*Hobart*"), 542 F. Supp. 2d 908 (E.D. Wis. 2008). Ans. Br. at 6-11. As explained previously, Br. in Chief at 8-9, Armijo incorrectly

asserts and the district court by adoption incorrectly held that *Sherrill* and *Hobart* are "[s]imilar to the facts in this case," Ans. Br. at 6; *see* RP 216, because both of those cases involved Indian tribes as plaintiffs asserting the Indian country status of land and challenging local taxation or condemnation authority, *see Sherill*, 544 U.S. at 202, 211-12; *Hobart*, 542 F. Supp. 2d at 909. Those cases did not even address title at all as Armijo suggests, because there was no dispute in either case about who owned the land. *See Sherill*, 544 U.S. at 211-12; *Hobart*, 542 F. Supp. 2d at 913. In addition, the only "immunity" at issue was "tax immunity[,]" *Sherill*, 544 U.S. at 214 & n.7, and *Hobart* expressly recognized "the immunity from suit that Indian tribes enjoy" under *Potawatomi*, *Hobart*, 542 F. Supp. 2d at 921.

Unlike parties in *Sherill* and *Hobart*, Armijo cannot assert and the Pueblo does not challenge local taxation or condemnation authority. *See Hobart*, 542 F. Supp. 2d at 918, 920-21 (discussing *Sherill*). Instead, this case is like *Kiowa*, such that the Pueblo permissibly asserts sovereign immunity as an unconsenting defendant in a lawsuit for a nongovernmental off-reservation dispute. *See Kiowa*, 523 U.S. at 755, 760; *see also Sac & Fox Nation v. Hanson*, 47 F.3d 1061, 1064 (10th Cir. 1995). Indeed, if the *Hobart* case is analogous at all, it is only a prior decision which dismissed a counterclaim against the Indian tribe that did not fit within the recoupment doctrine. *Oneida Tribe of Indians v. Village of Hobart*, 500 F. Supp. 2d 1143, 1148 (E.D. Wis. 2007). Accordingly, because the Pueblo has

not asserted any claims in this case, its sovereign immunity has not been waived for any claims against it. *See id.* at 1149-50 (discussing tribal quiet title actions).

Armijo's further efforts to evade *Kiowa* fare no better. While Armijo asserts that the Pueblo "argues" that *Kiowa* "implicitly overruled" *Padilla v. Pueblo of Acoma*, 107 N.M. 174, 754 P.2d 845 (1988), Ans. Br. at 11, in fact the New Mexico Supreme Court and the U.S. District Court for New Mexico have recognized that *Kiowa* ""implicitly overruled'" *Padilla* on this "'matter of federal law[.]'" *Gallegos*, 2002-NMSC-012, ¶¶ 7, 25 (citing *Kiowa*, 523 U.S. at 760); *Bales v. Chickasaw Nation Indus.*, 606 F. Supp. 2d 1229, 1305 (D.N.M. 2009) (citing *Gallegos*, 2009-NMSC-012, ¶ 25, and quoting *Kiowa*, 523 U.S. at 756). Also, *Gallegos* expressly noted *Kiowa*'s holding that Indian tribes have sovereign immunity from suit for off-reservation commercial activities. *Gallegos*, 2002-NMSC-012, ¶ 27 (quoting *Kiowa*, 523 U.S. at 760). Armijo tellingly fails to address this point of *Gallegos* or *Bales*. Indeed, while *Kiowa* involved a loan in Oklahoma City, about 90 miles from the tribal capital, *see Kiowa*, 523 U.S. at 753-54 (noting locations), *Bales* involved a New Mexico business hundreds of miles and two states away from the Chickasaw Nation of Oklahoma, *Bales*, 606 F. Supp. 2d at 1300 (noting locations). *See* http://maps.google.com/ (visited April 16, 2010) (indicating distances). Consequently, Armijo's insistence that *Padilla* has not been overruled, remains valid, and is controlling here, is completely meritless.

III. The Presence of State Title Claims Do Not Preclude Application of Federal Tribal Sovereign Immunity.

The fact that this case involves a title claim rather than a contract dispute as in *Kiowa* or employment claims as in *Bales* is immaterial for application of tribal sovereign immunity. The Supreme Court has recognized that absent consent, sovereign immunity bars quiet title actions. *Idaho v. Coeur d'Alene Tribe*, 521 U.S. 261, 281-82 (1997); *Tindal v. Wesley*, 167 U.S. 204, 223 (1897). While the foregoing cases address federal and state sovereign immunity, their logic necessarily also applies to Indian tribes because tribal sovereign immunity is a well-established doctrine, *Hoffman*, 2010-NMCA-___, ¶ 6, that is a "necessary corollary to Indian sovereignty[,]" *Three Affiliated Tribes of the Ft. Berthold Reservation v. Wold Eng'g, P.C.*, 476 U.S. 877, 890 (1986). Also, while federal, state, and tribal sovereign immunity are not congruent, *id.* at 890-91, there is no relevant distinction that authorizes the claims asserted here, *cf. Blatchford v. Native Village of Noatak*, 501 U.S. 775, 782 (1991); *United States v. United States Fidelity & Guaranty Co.*, 309 U.S. 506, 513 (1940).

Given this, Armijo asserts without basis that this Court should not follow *Pueblo of Santo Domingo v. Rael*, 209 F.R.D. 470 (D.N.M. 2002) simply because that decision "is not based on any cited precedent." Ans. Br. at 13. The assertion is patently meritless as there is no such requirement. Moreover, the legal and factual basis for *Rael* is clear and consistent with other governing case law. *Rael*

involved a 1983 quiet title action by the Pueblo of Santo Domingo (n.k.a. Kewa Pueblo) concerning three tracts within a Spanish land grant. *Rael*, 209 F.R.D. at 471. In 1984, the court granted the Pueblo's motion to dismiss a counterclaim for slander of title, "holding that the counterclaim was barred by the Pueblo's sovereign immunity as an Indian tribe." *Id.* Eighteen years later, in addressing a request to file an amended counterclaim, the court held as follows:

> The fact that the Pueblo is an Indian tribe and thus immune from suit has not changed since 1984. Thus, regardless of any change in circumstances since 1984, the relevant fact on which the Court's dismissal of the counterclaim was based remains unchanged. Dismissal of Defendants' original counterclaim, or any other counterclaim that they might bring under Rule 13(f), would be equally warranted today as it was in 1984.

Id. at 474. No external citation of legal authority is required to clarify this ruling because the analysis is transparent. The only relevant point is that the proposed counter-defendant for quiet title counterclaims "is an Indian tribe and thus immune from suit[,]" and that comports with all cases discussed above. So too here, the only relevant point that requires dismissal of Armijo's cross-claim is that "the Pueblo is an Indian tribe and thus immune from suit[.]" *Id.*

No aspect of New Mexico quiet title claims precludes application of tribal sovereign immunity here. For example, contrary to Armijo's assertion, Ans. Br. at 13-14, the New Mexico Constitution's provision on rights to possess and protect property, N.M. Const. art. II, § 4, and the general statutory basis for quiet title

actions in New Mexico courts, *see* NMSA 1978, Section 42-6-1 *et seq.*, cannot abrogate tribal sovereign immunity here. As explained previously, "'tribal immunity is a matter of federal law and is not subject to diminution by the States[,]'" *Bales*, 606 F. Supp. 2d at 1305 (quoting *Kiowa*, 523 U.S. at 756); *Gallegos*, 2002-NMSC-012, ¶ 7.

Likewise, regardless of whether New Mexico quiet title actions are *in rem* or *in personam*, those characteristics only concern service requirements for personal jurisdiction. *See, e.g., Miller v. Miller*, 423 F.2d 145, 147 (10th Cir. 1970); *State ex rel. Hill v. District Court of the Eighth Dist.*, 79 N.M. 33, 34-35, 439 P.2d. 551, 552-53 (1968); *State ex rel. Truitt v. District Court of the Ninth Dist.*, 44 N.M. 16, 18, 21-23, 96 P.2d 710, 711, 713-15 (1939). As such, those characteristics are irrelevant to and cannot avoid the subject-matter jurisdiction bar imposed by tribal sovereign immunity, *see Doe v. Santa Clara Pueblo*, 2007-NMSC-008, ¶ 27 n.6, 141 N.M. 269, 154 P.3d 644; *Gallegos*, 2002-NMSC-012, ¶ 7; *Holguin*, 2009-NMCA-056, ¶¶ 3; *cf. United States v. Nordic Village, Inc.*, 503 U.S. 30, 38 (1992) (rejecting *in rem* exception to sovereign immunity).

If the nature of Armijo's cross-claim against the Pueblo is relevant at all, the fact that it is a private challenge to the Pueblo's twice-previously quieted legal title to land near its existing reservation, within its asserted aboriginal territory, and over which the Pueblo has had exclusive possession for more than two years, *see,*

e.g., *L Bar*, 46 N.M. 26, 120 P.2d 432; *Pueblo of Laguna*, 17 Ind. Cl. Comm. at 651; RP 40-56, 106-107, 177-81, should make that claim more subject to sovereign immunity than claims by a state itself over taxes or by others for commercial or employment matters far from the reservation. *See Kiowa*, *Potowatomi*, and *Bales*, *supra*. In sum, there is certainly no applicable congressional abrogation of tribal sovereign immunity here, and there is no permissible basis to find a prohibited implied waiver of tribal sovereign immunity based on the fact that Armijo's state-law cross-claim concerns land title.

IV. Armijo's Other Cross-Claims Should be Dismissed Based on Indispensability Regardless of the Lack of Ruling Below Because the Facts and Law are Clear and the Pueblo Itself May Assert this Defense.

In addition to requiring dismissal of the cross-claim against the Pueblo, the Pueblo's sovereign immunity, combined with its substantial interest in the land at issue, also preclude Armijo's cross-claims for adverse possession against the other named and unnamed defendants. Armijo contends here that the Pueblo may not challenge this issue on appeal because the district court did not rule on that issue in an actual written order. Ans. Br. at 16-17. Armijo also contends that a ruling on this issue here would be impermissibly advisory, premature, and speculative. *Id.* at 18. Armijo further contends that the Pueblo cannot qualify as indispensable under Rule 1-019(B) NMRA because the Pueblo is currently a party, proceeding with his cross-claims against other defendants would not prejudice the Pueblo, and Armijo

otherwise would be left without a remedy for his adverse possession claims. *Id.* at 18-22. All these arguments are wholly meritless.

Even where the district court does not make findings or a decision on a matter, appellate courts in the interest of judicial economy may make appropriate findings where the record establishes relevant facts or the evidence would not allow a contrary finding. *See Western Bank, Santa Fe v. Fluid Assets Devt. Corp.*, 111 N.M. 458, 458-60, 806 P.2d 1048, 1049-50 (1991); *State v. Hastings*, 116 N.M. 344, 346, 862 P.2d 452, 454 (Ct. App. 1993). In addition, the matter of indispensable parties is so vital that an appellate court may adjudicate that issue *sua sponte* even though the point was not raised in the trial court. *Sellman v. Haddocke*, 62 N.M. 391, 397, 310 P.2d 1045, 1049 (1957), *overruled on other grounds, Safeco Ins. Co. v. United States Fidelity & Guar. Co.*, 101 N.M. 148, 679 P.2d 816 (1984); *see C.E. Alexander & Sons, Inc. v. DEC Int'l, Inc.*, 112 N.M. 89, 91, 811 P.2d 899, 901 (N.M. 1991). Furthermore, both states and Indian tribes may move to dismiss on the grounds that they are both entitled to sovereign immunity and are indispensable under Rule 19(b). *Native Am. Mohegans v. United States*, 184 F. Supp. 2d 198, 207, 213, 217 (D. Conn. 2002).

These authorities confirm that a ruling on indispensability is warranted here, even though the district court did not expressly rule on that issue. The district court necessarily denied the motion to dismiss on that ground by ruling that the

Pueblo was not entitled to sovereign immunity. *See* RP 191, 193-94, 213-16. Moreover, as explained in the Brief in Chief, the Pueblo readily satisfies the standards for indispensability, and nothing Armijo asserts in his Answer changes this fact. In particular, the Pueblo has documented through judicial notice and stipulation and review of governing authority that: (1) it holds legal title to the property at issue; (2) that interest cannot be alleviated by protective court-ordered provisions; (3) any judgment on Armijo's cross-claims against other defendants in the Pueblo's absence could not provide complete relief for any party; (4) any concern about a lack of a forum for Armijo's adverse possession claims is superseded by "'the public interest in protecting tribal sovereign immunity[,]'" *Gallegos*, 2002-NMSC-012, ¶ 51 (quoting *Srader*, 1998-NMSC-025, ¶ 33); and (5) Armijo does not need the Pueblo or any other parties to pursue his claim for breach of warranty covenants against the Board. In sum, this Court can and should rule that the Pueblo is indispensable at the same time that the Court rules that the Pueblo is immune without remanding for any unnecessary proceedings.

ORAL ARGUMENT REQUEST

Oral argument would be helpful for resolution of the appeal in this case because it would allow the Court to question the parties and better examine the appeal, especially in light of Armijo's various efforts to misrepresent relevant facts, ignore and overlook governing law, and confuse the issues.

Respectfully filed this 19th day of April, 2010.

Daniel I.S.J. Rey-Bear
Nordhaus Law Firm, LLP
405 Dr. MLK Jr. Ave. NE
Albuquerque, NM 87102
telephone: 505-243-4275

Joseph L. Werntz
Moses, Dunn, Farmer & Tuthill, P.C.
612 1st Street NW
Albuquerque, NM 87125
telephone: 505-843-9440

Attorneys for Pueblo of Laguna

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing Pueblo of Laguna's Reply Brief have been served on each of the following parties by first-class mail this 19th day of April 2010:

Narciso Garcia, Jr.
Garcia Law Offices
2033 San Mateo Blvd., NE
Albuquerque, NM 87110

Attorney for Plaintiff
Board of Trustees of
Cebolleta Land Grant

Tibo J. Chavez, Jr.
500 Becker Ave.
Belen, NM 87002

Stephen K. Bowman
P.O. Box 1570
Corrales, NM 87048

Attorneys for Defendant
and Cross-Claim Plaintiff
Robert Armijo

Daniel I.S.J. Rey-Bear