

E. J. Garcia

1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **Opinion Number:** _____

3 **Filing Date:** November 27, 2023

4 **NO. S-1-SC-40146**

5 **REPUBLICAN PARTY OF NEW MEXICO,**
6 **DAVID GALLEGOS, TIMOTHY JENNINGS,**
7 **DINAH VARGAS, MANUEL GONZALES,**
8 **JR., BOBBY KIMBRO, DEANN KIMBRO,**
9 **and PEARL GARCIA,**

10 Plaintiffs-Appellants,

11 v.

12 **MAGGIE TOULOUSE OLIVER, in her**
13 **official capacity as New Mexico Secretary**
14 **of State, MIMI STEWART, in her official**
15 **capacity as President Pro Tempore of the**
16 **New Mexico Senate, and JAVIER MARTINEZ,**
17 **in his official capacity as Speaker of the**
18 **New Mexico House of Representatives,**

19 Defendants-Appellees.

20 **CERTIFICATION FROM THE NEW MEXICO COURT OF APPEALS**
21 **Fred Van Soelen, District Judge**

22 Hamilton Sanders LLP
23 Misah Tseytlin
24 Molly S. DiRago
25 Kevin M. LeRoy
26 Troutman Pepper
27 Chicago, IL

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Zelda Abeita
Clerk of the Supreme Court
of the State of New Mexico

1 Harrison & Hart, LLC
2 Carter B. Harrison, IV
3 Albuquerque, NM

4 for Appellants

5 Hinkle Shanor LLP
6 Richard E. Olson
7 Lucas M. Williams
8 Ann C. Tripp
9 Roswell, NM

10 UNM School of Law
11 Michael B. Browde
12 Albuquerque, NM

13 Peifer, Hanson, Mullins & Baker, P.A.
14 Sara N. Sanchez
15 Albuquerque, NM

16 Stelzner, LLC.
17 Luis G. Stelzner,
18 Albuquerque, NM

19 for Appellees

20 **DISPOSITIONAL ORDER OF AFFIRMANCE**

21 **BACON, Chief Justice.**

22 {1} WHEREAS, this matter comes before this Court for consideration on appeal
23 pursuant to this Court's August 25, 2023, order in *Lujan Grisham v. Van Soelen*,
24 S-1-SC-39481, that the Court of Appeals upon the filing of a notice of appeal

1 under Rule 12-201 NMRA certify the matter to this Court under Rule 12-606
2 NMRA;

3 {2} WHEREAS, this Court having considered the briefs and November 20,
4 2023, oral arguments and being otherwise fully informed of the issues and
5 applicable law;

6 {3} WHEREAS, this Court concludes that the district court's Findings of Fact
7 are supported by substantial evidence;

8 {4} WHEREAS, this Court concludes that the district court's Conclusions of
9 Law are supported by its Findings of Fact;

10 {5} WHEREAS, this Court concludes that the district court committed no legal
11 error;

12 {6} WHEREAS, this Court hereby exercises its discretion under Rule
13 12-405(B)(1) and (2) NMRA to dispose of this case by nonprecedential order
14 rather than by formal opinion;

15 {7} NOW, THEREFORE, IT IS ORDERED that the ruling of the district court is
16 affirmed.

17 {8} **IT IS SO ORDERED.**

C. Shannon Bacon

C SHANNON BACON, Chief Justice

WE CONCUR:

Michael E. Vigil

MICHAEL E. VIGIL, Justice

David K. Thomson

DAVID K. THOMSON, Justice

Julie J. Vargas

JULIE J. VARGAS, Justice

Briana H. Zamora

BRIANA H. ZAMORA, Justice

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