

STATE OF NEW MEXICO
COUNTY OF SANDOVAL
THIRTEENTH JUDICIAL DISTRICT COURT

KENNETH DeHOFF &
KATHLEEN DeHOFF,

Appellants/Cross-Appellees/
Respondents,

Case No. D-1329-CV-2023-01382

versus

LINDA P. GALLEGOS,
in her official capacity as
SANDOVAL COUNTY ASSESSOR,

Judge Martinez

Appellee/Cross-Appellant/
Petitioner.

**SANDOVAL COUNTY ASSESSOR'S
OPPOSITION TO THE DeHOFFS'
"MOTION TO ENFORCE THE RULES OF COURT AND
DISREGARD APPELLEE'S UNTIMELY REQUEST FOR HEARING"**

The Sandoval County Assessor, Linda P. Gallegos, opposes the DeHoffs' "Motion to Enforce the Rules of Court and Disregard Appellee's Untimely Request for Hearing." This document was e-mailed by Kenneth DeHoff to counsel for Ms. Gallegos on December 5th, 2023, with a statement that it was being filed that day with the Court. However, as of December 13th, 2023, the DeHoffs' motion does not yet appear on the Court's docket.

The DeHoffs claim that the request for a hearing violates LR 13-122, NMRA. That rule states "No alterations, deletions, additions, or corrections will be made to any document filed unless by approval of the court." The DeHoffs assert that the request for a hearing is a "material change" to previously filed documents.

The request for hearing does not alter any document filed with the Court. It only requests hearings on motions that are pending and on which briefing is complete. The DeHoffs claim that asking for the Court to hear pending matters is an “attempt to convolute this matter with procedural noise and a needless delay,” when the request for hearing would help resolve fundamental procedural matters in this case. The DeHoffs point to no rule that bars a request for a hearing.

The motion should be denied.

Respectfully submitted:

MICHAEL ESHLEMAN,
SANDOVAL COUNTY ATTORNEY

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Certificate of Service

I certify that on December 13th, 2023, I sent a copy of this document to the petitioners via first-class United States mail, postage prepaid:

Kenneth & Kathleen DeHoff
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/s/Michael Eshleman
Michael Eshleman