

Elysha Garcia

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

Opinion Number: _____

Filing Date: November 27, 2023

NO. S-1-SC-40146

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

Plaintiffs-Appellants,

v.

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

Defendants-Appellees.

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

Hamilton Sanders LLP
Misah Tseytlin
Molly S. DiRago
Kevin M. LeRoy
Troutman Pepper
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

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

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

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

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

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

{6} WHEREAS, this Court hereby exercises its discretion under Rule 12-405(B)(1) and (2) NMRA to dispose of this case by nonprecedential order rather than by formal opinion;

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

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



C SHANNON BACON, Chief Justice

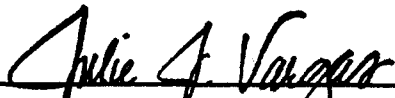
WE CONCUR:



MICHAEL E. VIGIL, Justice



DAVID K. THOMSON, Justice



JULIE J. VARGAS, Justice



BRIANA H. ZAMORA, Justice