

*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