

FIRST JUDICIAL DISTRICT COURT

COUNTY OF SANTA FE

STATE OF NEW MEXICO

JOHN ETCHEVERRY,

Plaintiff,

vs.

No. SF 86-1509(c)

SAGE OIL COMPANY, a Texas
Corporation, STATE LAND OFFICE,
and OIL CONSERVATION DIVISION,

Defendant.

ORDER GRANTING DEFENDANT STATE LAND OFFICE'S MOTION TO DISMISS

The Court having considered the motion of the defendant State Land Office (hereinafter SLO) to dismiss with prejudice the plaintiff's claims against the SLO for failure to state a claim upon which relief can be granted, the defendant SLO having submitted with the motion a statement of supporting points and authorities in compliance with Rules 20 and 26(b) of the Rules of the First Judicial District Court, the plaintiff having failed to respond to said motion within ten days following service of the motion as required by Rule 26(c) of the Rules of the First Judicial District Court, and the Court being fully advised in the matter, it is hereby

ORDERED that said motion be granted and that the SLO be dismissed as a party defendant in said cause.

Art Encinias
District Judge

Michael R. Comeau
Attorney for Plaintiff

Louhannah M. Walker

Louhannah M. Walker
Attorney for Defendant
New Mexico State Land Office

Gary R. Kilpatrick

Gary R. Kilpatrick
W. Perry Pearce
Galen M. Buller
Attorneys for Defendant Sage Oil Company

Jeffrey Taylor by Geoffrey Sloan

Jeffrey Taylor
Attorney for Defendant
Oil Conservation Division

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was mailed to all counsel of record Sept. 2, 1986.

Louhannah M. Walker

LOUHANNAH M. WALKER