



IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

REPUBLICAN PARTY OF NEW MEXICO,
DAVID GALLEGOS, TIMOTHY JENNINGS,
DINAH VARGAS, MANUEL GONZALES, JR.,
BOBBY and DEE ANN 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.

On Appeal from the Fifth Judicial District Court,
County of Lea, Case No. D-506-CV-2022-00041
The Honorable Fred T. Van Soelen, District Judge, Div.III

**DEFENDANT MAGGIE TOULOUSE OLIVER'S
NOTICE OF NON-FILING**

Peter S. Auh
325 Don Gaspar, Ste 300
Santa Fe, NM 87501
(505) 827-3629
peter.auh@sos.nm.gov

Attorney for Defendant
Maggie Toulouse Oliver

Defendant- Appellee Maggie Toulouse Oliver, in her official capacity as New Mexico Secretary of State, by and through her general counsel, Peter S. Auh, hereby gives notice to the Court that she does not intend to file an Answer Brief in response to Plaintiffs- Appellants' Brief-in- Chief; and further, hereby waives any time for oral argument, if granted by the Court.

Dated: November 7, 2023

RESPECTFULLY SUBMITTED,

By: /s/ Peter S. Auh

Peter S. Auh
General Counsel
NM Secretary of State
325 Don Gaspar, Ste 300
Santa Fe, NM 87501
(505) 827-3629
peter.auh@sos.nm.gov

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing pleading to be electronically served on all counsel of record via the New Mexico Supreme Court's Odyssey filing platform on this 7th day of November, 2023.

 /s/ Peter S. Auh