



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.
Zaida Abeita
Clerk of the Supreme Court
of the State of New Mexico

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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;

10 {5} WHEREAS, this Court concludes that the district court committed no legal 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WHEREAS, this Court hereby exercises its discretion under Rule 13 12-405(B)(1) and (2) NMRA to dispose of this case by nonprecedential order rather than by formal opinion;

15 {7} NOW, THEREFORE, IT IS ORDERED that the ruling of the district court is affirmed.

17 **{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