

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

MATTHEW CONE, ALBERT SANCHEZ,
JUSTIN KNOX, and GLORIA BACA,

Appellants,

vs.

No: D-202-CV-2019-03654

BERNALILLO COUNTY BOARD OF
COUNTY COMMISSIONERS,

Appellee,

and

VALENTIN P. SAIS, RON A. PEREA,
and RIO GRANDE HUERTA, LLC,

Interested Parties.

**APPELLANTS' RESPONSE TO
BERNALILLO COUNTY'S MOTION FOR LEAVE
TO FILE RESPONSE TO APPELLANTS' MOTION FOR REHEARING**

Appellants through counsel hereby respond to Bernalillo County's Motion for Leave to File Response to Appellants' Motion for Rehearing, filed on December 18, 2019, as follows:

1. Appellants' Motion for Rehearing was submitted pursuant to NMRA 1-074(U) which states:

A motion for rehearing may be filed within ten (10) days after filing of the district court's final order. The three (3)-day mailing period set forth in Rule 1-006 NMRA does not apply to the time limits by this rule. The motion shall state briefly and with particularity, but without argument, the points of law or fact that in the opinion of the movant the court has overlooked or misapprehended. No response to a motion for rehearing shall be filed unless requested by the court.

2. Bernalillo County's Motion for Leave to file Response is not appropriate under NMRA 1-074(U) because the Court has not requested any response to the Motion for Rehearing.

3. Appellants do not object to the Court requesting responses to the Motion for Rehearing.

4. If the Court requests responses to the Motion for Rehearing, Appellants request that Appellants be allowed to present arguments on the seven points of law or fact which Appellants consider that the Court has overlooked or misapprehended, listed in Appellants' Motion for Rehearing.

YNTEMA LAW FIRM P.A.

(Electronically filed)

By /s/ Hessel E. Yntema III
Hessel E. Yntema III
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I hereby certify that a copy of Appellants' Response to Bernalillo County's Motion for Leave to File Response to Appellants' Motion for Rehearing was mailed to Michael Garcia, Esq., Bernalillo County Legal Dept., 520 Lomas Blvd., NW, 4th Floor, Albuquerque, NM 87102-2118, and Blake Whitcomb, Esq., Hunt and Davis PC, 2632 Mesilla St., NE, Albuquerque, NM 87110, this December 27, 2019, and was electronically filed through the electronic filing system for the Second Judicial District Court, which caused counsel of record to be served via electronic means, as more fully reflected on the Notice of Electronic Filing.

(Electronically filed)

By /s/ Hessel E. Yntema III