

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  
RIO GRANDE HUERTA'S MOTION FOR LEAVE  
TO FILE RESPONSE TO APPELLANTS' MOTION FOR REHEARING**

Appellants through counsel hereby respond to the Motion for Leave to File Response to Appellants' Motion for Rehearing, filed by Interested Party Rio Grande Huerta, LLC ("RGH") 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. RGH'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.

Similarly, Appellee's Response to Appellants' Motion for Rehearing filed December 3, 2019 is not appropriate.

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 Rio Grande Huerta's Motion for Leave to File Response to Appellants' Motion for Rehearing was mailed to Blake Whitcomb, Esq., Hunt and Davis PC, 2632 Mesilla St., NE, Albuquerque, NM 87110, and Michael Garcia, Esq., Bernalillo County Legal Dept., 520 Lomas Blvd., NW, 4<sup>th</sup> Floor, Albuquerque, NM 87102-2118 this December 11, 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