

FILED 1st JUDICIAL DISTRICT COURT
Santa Fe County
4/5/2021 11:59 AM
KATHLEEN VIGIL CLERK OF THE COURT
Tamara Snee

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

HENRY MARTINEZ,

Plaintiff,

v.

No. D-101-CV-2020-02387

CITIES OF GOLD CASINO,
THE PUEBLO OF POJOAQUE,
POJOAQUE PUEBLO GAMING COMMISSION,
and POJOAQUE GAMING, INC.,

Defendants.

ORDER DENYING DEFENDANTS' MOTION TO DISMISS

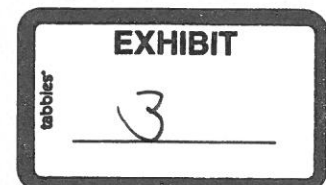
THIS MATTER having come before the Court on Defendants' Motion to Dismiss, the Court having reviewed the pleadings and heard the arguments of counsel on March 31, 2021, and otherwise being fully advised, finds and orders the following:

The Court finds that *Doe v. Santa Clara Pueblo*, 2007-NMSC-008 is controlling and this Court has jurisdiction over this matter.

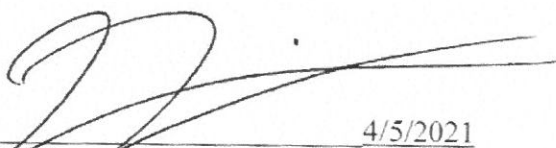
Accordingly, the Motion is not well taken and should be denied.

The Court further finds that this Order does not practically dispose of the merits of the action and involves a controlling question of law as to which there is substantial ground for difference of opinion. Additionally, an immediate appeal may materially advance the ultimate termination of the litigation. Within fifteen (15) days after entry of this Order, Defendants may file an application for an order allowing an appeal, accompanied by a copy of this Order, with the clerk of the New Mexico Court of Appeals.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants' Motion to Dismiss is denied, with all parties to bear their own costs and fees. Said application does not



stay proceedings in this Court.


4/5/2021
HONORABLE MATTHEW WILSON
DISTRICT COURT JUDGE

Submitted by:

WHITENER LAW FIRM, P.A.

/s/Nichole Henry
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Approved as to form:

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Approved electronically on 4/2/21

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