

				FILED 7th JUDICIAL DISTRICT COURT Catron County 8/13/2025 2:40 PM RACHEL GONZALES CLERK OF THE COURT /s/ Micaela Zamora
Description	STATE OF NEW MEXICO SEVENTH JUDICIAL DISTRICT COUNTY OF CATRON			
	HON. MERCEDES C. MURPHY DIVISION I MONITOR, CATHERINE ROMERO #618			
	CASE: JESSE CHILDERS V. JERRY FOWLER, ET.AL. CAUSE NO.: D-728-CV-2024-00026 HEARING: ORDER TO SHOW CAUSE HEARING ATTORNEYS: PRO SE/ MCKADE LOE ALL PARTIES APPEARING VIA GOOGLE MEETS			
	STARTING TIME: 3:03:57 PM ENDING TIME: 4:11:45 PM			
	NOTE: THIS LOG IS NOT THE OFFICIAL RECORD. THE OFFICIAL RECORD IS THE CD. THE LOG IS CREATED TO ASSIST IN LOCATING INFORMATION ON THE CD. THE LOG IS NOT THE VERBATIM RECORD OF THE PROCEEDINGS.			
	LEGEND: J - JUDGE DEX - DIRECT EXAMINATION BW - BENCH WARRANT P - PLAINTIFF'S ATTY XEX - CROSS EXAMINATION OBJ - OBJECTION D - DEFENDANT'S ATTY VD - VOIR DIRE EXAMINATION O - OVERRULED Pif - PLAINTIFF RB - REBUTTAL EXAMINATION S -SUSTAINED Dft - DEFENDANT RDEX - RE-DIRECT EXAMINATION IVR - INVOKE THE RULE W1-WITNESS NO. RXEX - RE-CROSS EXAMINATION M - MONITOR B - BAILIFF			
Date	8/12/2025	Location	TOCD CR01	

Time	Speak	Note
3:03:57 PM	J	OTR-CASE: JESSE CHILDERS V. JERRY FOWLER, ET.AL. CAUSE NO.: D-728-CV-2024-00026 HEARING: ORDER TO SHOW CAUSE HEARING ATTORNEYS: PRO SE/ MCKADE LOE ALL PARTIES APPEARING VIA GOOGLE MEETS
3:04:04 PM	P	JESSE CHILDERS
3:04:20 PM	D	LOE OBO DFT
3:04:27 PM	J	SET ON YOUR MTN FOR SANCTIONS AND OTSC I DID ISSUE THAT OTSC IN CONNECTION WITH MTN PROCEED D
3:04:43 PM	D	AS TO ORDER TO SHOW CAUSE
3:05:34 PM	J	I LET YOU PROCEED BY PROFFER
3:05:45 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:10:28 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:12:27 PM	D	AS TO OTSC AND MTN FOR SANCTIONS
3:14:53 PM	P	I HAVING PROBLEMS
3:15:04 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:20:01 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:25:02 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:27:59 PM	J	SO COUNSEL IS AWARE I HAVE READ THE MTN ITSELF AND THE AUTHORITIES IN SUPPORT OF THE MTN AND THE RESPONSE AND AUTHORITIES I DO WANT TO ADDRESS THAT WITH YOU P YOUR AUTHORITIES NOT ACCURATE TO SAY THE LEAST
3:28:32 PM	P	AS TO RESPONSE TO OTSC AND MTN FOR SANCTIONS
3:30:02 PM	P	CONTINUES AS TO RESPONSE TO OTSC AND MTN FOR SANCTIONS
3:31:32 PM	J	WHAT IS THE DATE OF THAT
3:31:36 PM	P	6/19
3:31:40 PM	J	THANK YOU
3:31:44 PM	P	CONTINUES AS TO RESPONSE TO OTSC AND MTN FOR SANCTIONS
3:35:28 PM	P	CONTINUES AS TO RESPONSE TO OTSC AND MTN FOR SANCTIONS
3:40:43 PM	P	CONTINUES AS TO RESPONSE TO OTSC AND MTN FOR SANCTIONS
3:45:18 PM	P	CONTINUES AS TO RESPONSE TO OTSC AND MTN FOR SANCTIONS
3:48:34 PM	J	D I LET YOU RESPOND
3:48:40 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:50:13 PM	D	CONTINUES AS TO OTSC AND MTN FOR SANCTIONS
3:51:33 PM	J	I DO NOT

3:51:35 PM	J	<p>FIRST OF ALL I WANT TO MAKE IT CLEAR OTR P MAY FEEL HE COMPELLED TO CONTINUE PRO SE HE WAS NOT COMPELLED BY THIS COURT TO DO SO SPECIFICALLY IN THE ORDER ENTERED IN THIS CASE BY COURT ON 6/10/25 WHEN I DENIED HIS REQUEST FOR EXTENSION OF TIME I ALSO ORDERED P OBTAIN NEW COUNSEL IF HE WISHES TO DO SO HE COULD HAVE DONE THAT AT ANY TIME THERE NO PROHIBITION AGAINST THAT THAT BEING SAID TO ADDRESS THE ISSUES AT HAND WHETHER OR NOT P SHOULD BE HELD IN CONTEMPT BY P OWN ADMISSION IN HIS ARGUMENT TODAY HE DID ISSUE A LETTER HOLDING HIMSELF OUT TO ACT OBO OF THE ASSOCIATION DATED 6/12/25 AFTER THE 5/14 ORDER WAS ENTERED BY THIS COURT IN HIS ARGUMENT P INDICATED THAT HE RETRACTED LETTER ON 6/19 NONE THE LESS HE ACTED WILLFULLY IN VIOLATION OF 5/14 ORDER AND REGARDING THE ALLEGED VIOLATIONS OF RULE 11 ALTHOUGH RULE 11 DOES INDICATE PARTIES MUST SIGN THE FILINGS AND THAT IS REQUIRED TO ENCOURAGE HONESTY I AM GOING TO FIND THE ELECTRONIC SIGNATURE AND THAT IS WHAT IT IS ACCEPTABLE AND CONSIDERED VALID THAT IN OF ITSELF IS NOT A VIOLATION OF RULE 11 P FILINGS WITH THAT ELECTRONIC SIGNATURE ARE ACCEPTABLE TO THIS COURT</p>
3:54:10 PM	J	<p>HOWEVER IT IS QUITE CLEAR TO THIS COURT THAT MANY OF THESE MTNS WERE NOT FILED IN GOOD FAITH OR SUPPORTED BY VALID REASONING FOR EXAMPLE THE MTN TO SET ASIDE THE ORDER FOR SUB OF COUNSEL CLEARLY SANCHEZ HAD TO WITHDRAW OR HE BE IN VIOLATION OF HIS RULES OF ETHICS THAT CONCEDED OTR BY THE PARTIES ASKING FOR THIS COURT TO SET THAT ASIDE AND FORCE SANCHEZ TO BE IN VIOLATION OF THE RULES IS INAPPROPRIATE AND NOT FILED IN GOOD FAITH THAT JUST ONE EXAMPLE OF THE MTNS AND THIS COURT DENIED MTNS THE FIRST SET OF MTNS DENIED WERE DENIED AFTER OPPOSING COUNSEL FILED RESPONSE THAT IS WHAT IS REQUIRED P BASICALLY CONTINUED TO FILE MTNS PEPPERED THE COURT WITH FILINGS AND THEN CONTINUALLY REACHED OUT TO CHAMBERS AFTER HAVING BEEN TOLD BY MY ASSISTANT THAT IT WAS INAPPROPRIATE AND HAVING BEEN TOLD BY THIS COURT OTR THAT EX PARTE COMMUNICATIONS WERE INAPPROPRIATE THAT HE COULD NOT CALL AND DEMAND HIS MTNS BE HEARD THEY ADDRESSED IN DUE COURSE AFTER RESPONSES WERE FILED THIS COURT RULED UPON THOSE MTNS AFTER REVIEWING THE MTNS THEMSELVES AND THE RESPONSES THERETO AND FINALLY THE REPLY FILED AFTER THIS COURT HAD ALREADY ENTERED AN ORDER RULING ON P MTN THE REPLY TO THE MTN FOR SANCTIONS AFTER THE REPLY IN SUPPORT OF THE MTN TO CLARIFY LEGAL STATUS OF THE BOARD AFTER THIS COURT HAD ALREADY ENTERED IT'S ORDER</p>



3:57:25 PM	J	<p>I KNOW P YOU ARE A PRO SE LITIGANT YOU REPRESENTING YOURSELF YOU ABLE TO GENERATE PLEADINGS YOU ABLE TO GENERATE PRETTY COHERENT PLEADINGS IN THIS CASE I THINK THAT YOUR PEPPERING COURT WITH MTNS AND I SAY COURT I NOT SURE D RECEIVED THESE OR HOW HE RECEIVED THESE OBVIOUSLY HE NOT MADE AWARE OF MTNS IN ACCORDANCE WITH THE RULES OF CIVIL PROCEDURE MEANING YOU DID NOT REACH OUT TO HIM PRIOR TO THE FILING OF THE MTNS FOR HIS POSITION AND THAT IS NOT THE ONLY REASON YOUR MTNS DENIED AS YOU SEE IN ALL THE ORDERS I ISSUED THE LAST SENTENCE PRIOR TO THE ORDER ITSELF SAID FURTHERMORE WHICH IS IN ADDITION TO THE PREVIOUS REASONS YOUR MTNS DID NOT COMPLY WITH RULE 1-007.1 I ALSO FIND THE RESPONSE TO OR OPPOSITION WHICH IS RESPONSE TO D MTN FOR SANCTIONS FILED ON 7/15 YOU CITED THE CASE OF SMITH V AMERICA ONLINE INC THE CITATION YOU GAVE THE COURT DOES NOT GO WITH THAT CASE THAT CITATION GOES TO AN ACTUAL CASE HERE IN NM WHICH IS STATE V VIGIL WHICH IS A CRIMINAL CASE AND THE PARAGRAPHS WHICH YOU CITE IN PLEADINGS PARAGRAPHS 18, 19 DISCUSS THE ELEMENTS OF BATTERY ON A PIECE OFC THAT LEADS ME TO BELIEVE THAT D SUSPICION THAT YOUR PLEADINGS ARE GENERATED VIA AI ARE PROBABLY PRETTY ACCURATE THAT IS EXACTLY THE PROBLEM WITH AI AND IT BEING USED IN THE LEGAL PROFESSION AS RECENTLY AS LAST WEEK A FEDERAL COURT IN ALABAMA HELD THE ATTORNEYS IN CONTEMPT FOR THE VERY THING THAT HAS OCCURRED THEY CITED A CASE THAT DIDN'T EXIST AND GOT CAUGHT AND UNFORTUNATELY I REGULARLY CHECK THE CITATIONS OF THE ATTORNEYS AND OF ALL THE PARTIES THEY CITE TO MAKE SURE THE CASES SAY WHAT ATTORNEYS AND PARTIES ARE TELLING ME WHAT THEY SAY AND ON OCCASION THEY CITE CASES THAT WERE MY CASES AND I KNOW EXACTLY WHAT THEY SAY AND WHAT THE HIGHER COURTS RULED THAT A PROBLEM FOR ME WHEN YOU CITE AN AUTHORITY THAT DOESN'T EXIST</p>
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4:01:30 PM	J	<p>I FIND THAT AND THE PREVIOUS FINDINGS YOUR MTNS NOT FILED IN GOOD FAITH A VIOLATION OF RULE 11 I GOING TO FIND YOU IN CONTEMPT FOR WILLFULLY VIOLATING THE 5/14 ORDER AND VIOLATING RULE 11 FOR FILING FRIVOLOUS MTNS AND HAVING LACK OF CANDOR WITH THIS COURT BY CITING IMPROPER AUTHORITY AND AS FAR AS SANCTIONS GO DISMISSAL OF CLAIMS IS AN EXTREME SANCTION AND ARE VERY RARELY IMPOSED AND I MYSELF VERY RARELY IMPOSE A SANCTIONS AS FAR AS ATTORNEY FEES THERE AN ORDER IN PLACE YOU HAVE TO REIMBURSE SANCHEZ ATTORNEY FEES THERE AN ORDER IN PLACE ON THAT THAT NOT A SANCTION THAT AN ORDER YOU MUST DO IF D ABLE TO OBTAIN THAT TOTAL FROM SANCHEZ I ENCOURAGE HIM TO REACH OUT TO SANCHEZ TO GET THAT AMOUNT P YOU INDICATE YOU REQUESTED INVOICES YOU RECEIVED REDACTED INFO I NOT KNOW WHAT WAS REDACTED YOU SAID AMOUNTS AND WHO PAID THEM THERE MAY BE INFO ON THAT INVOICE THAT COULD BE CONSIDERED ATTORNEY CLIENT PRIVILEGE AND YOU ARE AT THIS POINT AN OPPOSING PARTY AND NOT ENTITLED TO THAT INFO BUT AS D POINTS OUT YOU BEGAN THIS CASE PRO SE ACTING ON BEHALF OF THE ASSOCIATION AND THIS COURT HAS THROUGH THE COURSE OF LITIGATION MADE FINDINGS THAT THE PREVIOUS BOARDER WAS NOT APPROPRIATELY REMOVED AND THERE WAS NO EVIDENCE PROXIES PROVIDED AND THEREFORE YOU NOT ELECTED TO THE BOARD THOSE ARE 2 THINGS YOU MUST HAVE BEEN ABLE TO SHOW IN ORDER TO PREVAIL ON YOUR PRELIMINARY INJUNCTION REQUEST AND EVEN IN YOUR AMENDED COMPLAINT AS FAR AS THE ASSERTION YOU ARE NOT A LAND OWNER I NOT GOING TO MAKE THAT FINDING BECAUSE AS YOU POINT OUT YOU HAVE AN EQUITABLE INTEREST IN THE PROPERTY REGARDLESS OF HOW YOU DOING THAT QUIT CLAIM DEEDING THE PROPERTY THROUGH A STRAW PERSON AND ENTERING INTO A SEPARATE PROPERTY AGREEMENT BUT NONE THE LESS IF YOU STILL MARRIED THAT STILL COMMUNITY PROPERTY AND YOU HAVE AN EQUITABLE INTEREST IN THE PROPERTY THAT WILL NOT BE GROUNDS FOR DISMISSAL YOU DO HAVE STANDING I GOING THROUGH THIS POINT BY POINT SO YOU CLEAR WHAT THIS COURT IS ORDERING</p>
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4:07:19 PM	J	HAVING FOUND P IS IN CONTEMPT OF THIS COURT FOR VIOLATING THE 5/14 ORDER OF THIS COURT AND FOR FILING FRIVOLOUS MTNS THAT WERE NOT SUPPORTED BY GOOD FAITH BASIS I GOING TO GRANT D REQUEST FOR SANCTIONS WHICH NOT INCLUDE SANCHEZ ATTORNEY FEES THAT IS ALREADY IN PLACE BY THIS COURTS ORDER AND P HAS TO REIMBURSE FOR THOSE COSTS BUT I AM GOING TO GRANT REQUEST FOR DISMISSAL OF P CLAIMS BASED ON THIS COURTS PREVIOUS FINDINGS OF FACTS AND CONCLUSIONS OF LAW HE COULD NOT PREVAIL ON HIS CLAIMS IN THIS CASE AND THEREFORE HIS CLAIMS DISMISSED WITH PREJUDICE AS TO D REQUEST FOR ATTORNEY FEES HE CORRECT PURSUANT TO STATUTE PREVAILING PARTY IS ENTITLED TO RECEIVE ATTORNEY FEES PURSUANT TO 47-16-14 AND IN THIS CASE THE DFTS ARE THE PREVAILING PARTY THE ASSOCIATION IS THE PREVAILING I GOING TO ORDER P PAY D ATTORNEY FEES IN ASSOCIATION WITH THIS CAUSE OF ACTION I GOING TO ORDER D SUBMIT AN AFFIDAVIT OF REASONABLE ATTORNEY FEES AND ASSOCIATED COSTS WITHIN 30 DAYS AND P WILL HAVE 60 DAYS IN WHICH TO PAY THOSE P I SUSPECT THAT TOTAL IS GOING TO BE VERY SUBSTANTIAL I ENCOURAGE YOU TO REACH OUT OF HIM TO SEE WHAT IF ANY ARRANGEMENTS HIS LAW FIRM IS WILLING TO ENTER INTO IN REGARDS TO PAYMENT I NOT IMPOSE SANCTIONS LIGHTLY BUT QUITE FRANKLY P BASED ON THIS COURTS FINDINGS AND RULINGS AND MY RULING HERE TODAY YOU COULD NOT PREVAIL ON YOUR CLAIMS IF I WERE TO ALLOW THIS LITIGATION TO DRAG OUT THE ONLY THING IT WOULD DO WOULD COST MORE MONEY AND MORE STRESS FOR EVERYONE WITH THE SAME RESULT D I GOING TO ASK YOU TO PREPARE THE ORDER
4:11:30 PM	D	YES
4:11:36 PM	J	ANYTHING ELSE
4:11:41 PM	ALL	NO
4:11:45 PM	J	HRG CONCLUDED