

1 **IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

2 **STATE OF NEW MEXICO, ex rel STATE ENGINEER,**

COURT OF APPEALS OF NEW MEXICO
ALBUQUERQUE
FILED

3
4 **Plaintiff-Appellee,**

AUG 26 2014

5 v.

Wendy F Jones

6
7 **UNITED STATES OF AMERICA,**

No. 33,534

San Juan County

8 **Defendant-Appellee,**

D-1116-CV-1975-00184

9 v.

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11 **NAVAJO NATION,**

12 **Defendant/Intervenor-Appellee,**

13 v.

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15 **MCCARTY TRUST, STEPHEN**
16 **ALBERT MCCARTY, TRUSTEE**
17 **AND ESTATE OF MARY MCCARTY,**
18 **a/k/a MARY LOUISE MCCARTY,**
19 **Deceased,**

20 **Defendants-Appellants.**

21 **ORDER ON APPLICATION FOR FREE PROCESS,**

22 **THIS MATTER** having come before the Court upon Application for Free
23 Process and Affidavit of Indigency, and the Court being otherwise advised in the
24 premises, **FINDS that:**

- 25
26 the applicant is entitled to free process in accordance with Rule 23-
27 114(B)(2) NMRA.
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DISTRICT COURT
SAN JUAN COUNTY-NM
FILED

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- the applicant receives public assistance and is, therefore, entitled to free process.
- the applicant's annual income does not exceed one hundred and fifty percent (185%) of the federal poverty guidelines, and the applicant is, therefore, entitled to free process.
- on the basis of the applicant's available funds or annual income, the applicant is not entitled to free process.

THE COURT HEREBY ORDERS that:

- the filing fee is waived and free process is **GRANTED**.
- free process is **DENIED**.

Free process includes the filing fee, and the cost for preparation of the record proper, transcript, tapes, compact discs, and logs to enable this Court to process the appeal.

Unless specifically granted above, this order of free process does not include the following costs: mailings, long distance charges, duplication fees for audiotapes or compact discs for your use, copy charges, or facsimile services. If the applicant prevails in this law suit and collects money by , the Court is to be reimbursed for any waived costs. judgment or settlement **This order is subject to revision, modification or rescission by the panel assigned to your**

1 case.

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Wendy F Jones
WENDY F. JONES, Chief Clerk

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