



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

2 **April 01, 2026**

3 **NO. S-1-SC-41325**

4 **JAMES MAES and**
5 **JOHN ROCKWELL III,**

6 Petitioners-Appellant,

7 v.

8 **MAGGIE TOULOUSE OLIVER,**
9 **Secretary of State, in her**
10 **official capacity,**

11 Respondent-Appellee,

12 and

13 **DUKE RODRIGUEZ,**

14 Real Party in Interest.

15 **ORDER**

16 WHEREAS, this matter initially came on for consideration by the Court
17 upon *conformed notice of appeal* and *certificate of counsel* under Rule 12-603
18 NMRA and responses thereto;

19 WHEREAS, the real party in interest thereafter filed a *motion to dismiss for*
20 *lack of subject matter jurisdiction*;

21 WHEREAS, the Court having considered the foregoing and being
22 sufficiently advised; Chief Justice David K. Thomson, Justice Michael E. Vigil,

Justice C. Shannon Bacon, Justice Julie J. Vargas, and Justice Briana H. Zamora
concurring;

NOW, THEREFORE, IT IS ORDERED that the *motion dismiss for lack of
subject matter jurisdiction* is DENIED; and

IT IS FURTHER ORDERED that the order of the district court, filed on
March 4, 2026, in cause number D-1116-CV-2026-00277, is AFFIRMED;

IT IS FURTHER ORDERED that there shall be no rehearing and this order
shall serve as the mandate of the Court pursuant to Rule 12-603(J) NMRA.

IT IS SO ORDERED.



I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Lissette Romero Córdoba
Chief Deputy Clerk of the Supreme Court
of the State of New Mexico

WITNESS, the Honorable David K. Thomson, Chief
Justice of the Supreme Court of the State of New
Mexico, and the seal of said Court this 1st day of
April, 2026.

Elizabeth A. Garcia, Clerk of Court
Supreme Court of New Mexico

By

Chief Deputy Clerk of Court