

LATEST NEWS November 2019

A reminder that the December 4th hearing is coming up and it would be great to have a good turnout!

2pm on Wednesday, December 4, 2019 in District Court, Room 720 (400 Lomas Blvd NE).

It is scheduled to last 3 hours – plan to come even if you can't stay for the whole time.

A strong turnout will impress the Judge with the importance of this case to the community.

NOTE: Electronic devices (including cell phones) are prohibited – Leave them in your car.

RECENT HISTORY:

March 5-19, 2018: Judge Shannon Bacon presided over the Appeal Trial in Second District Court.

January 29, 2019: Judge Bacon found in our favor, citing significant impact on nearby wells and lack of conservation.

September 3, 2019: Judge Clay Campbell issued Final Judgement. 30 day Appeal clock started.

October 3, 2019: Aquifer Science filed notice of Appeal to the NM Court of Appeals.

ALSO, on October 3, 2019 the OSE filed a Notice of Cross Appeal of the judge's decision!

>>> UPDATED DATES - WHAT'S COMING NEXT:

By 11/26/19 Aquifer Science must file a Docketing Statement (detailed brief stating their basis for Appeal).

By 12/18/19 The OSE must file a Docketing Statement (detailed brief stating their basis for Appeal).

14 Days after the Docketing Statement Aquifer Science and the OSE must file a Record Proper, which is the entirety of the trial record they need to show the NM Court of Appeals. We will review and add anything we feel should be included.

--- It could take up to 2 years or more to get on the NM Court of Appeals calendar and have a decision. ---

December 4, 2019: Judge Campbell's hearing to rule on the amount of our recoverable costs, OSE Liability for Costs and the Motion to Join PICO Entities. Depending on the outcome, AS, PICO or OSE may appeal.

WHAT YOU CAN DO:

- 1. Attend the hearing at 2pm on December 4, 2019 in District Court, Room 720 (400 Lomas Blvd NE).
It is scheduled to last 3 hours – plan to come even if you can't stay for the whole time.
A strong turnout will impress the Judge with the importance of this case to the community.**
- 2. We know it seems like this has gone on forever and everyone is sooo tired, but we still need your support. We will need to continue fundraising to make it through this next Appeal stage.**
- 3. Remember that any contact with the Judge is prohibited and could cause harm to our case.**

Donations can be made on our website www.deepwellprotest.org via Paypal or by mailing your check, made out to **N14 Forum Deep Well**, to Deep Well Protest, PO Box 311, Sandia Park, NM 87047.