



Attorney General of New Mexico
April 21, 2008

GARY K. KING

Attorney General

Honorable William P. Johnson
Pete V. Domenici U. S. Courthouse
333 Lomas Blvd. NW Suite 270
Albuquerque, NM 87102

ALBERT J. LAMA

Chief Deputy Attorney Gener

Re: White v. White

No. CIV 08-00381 WJ/ACT


Dear Judge Johnson:

The New Mexico Attorney General's Office represents the Second Judicial District Court (SJDC) when it is sued in federal court. On April 11, 2008, Defendant Terri White filed a Notice of Removal of her state court divorce action to federal court and also applied for a temporary restraining order against the SJDC. On April 15, 2008, this Court denied Ms. White's TRO request. Although the SJDC is not a named party in the above-mentioned case now pending in federal court, it obviously has an interest in being able to have the necessary jurisdiction to issue orders and enforce those orders in the state court case. However, it is the SJDC's understanding that once removal occurs all jurisdiction relating to that case remains in federal court until the case is remanded back to state court.

On behalf of the SJDC, I would request that the Court sua sponte remand the above-mentioned case back to state court or would ask that the Court permit the SJDC through the Attorney General's Office file a motion to remand and/or motion to dismiss the case.

Please let me know if there is anything further the Court wants me to do or if there are any questions.

Thank you for your attention to this matter.


David Tourek
Assistant Attorney General
New Mexico Attorney General's Office
111 Lomas Blvd. NW
Albuquerque, NM 87102
(505) 222-9087

xc. Terri White, Joyce Gentry