

Subject: DEMAND LETTER ON BEHALF OF ERNIE LOPEZ

From: Eric Dixon - To: todd@mountainairdispatch.com - Cc: - Date: September 4, 2025 at 11:41, Attachments: Lopez-Mountainair.pdf

To: Todd Brogowski

From: Eric Dixon

Date: September 4th, 2025

Re: DEMAND LETTER ON BEHALF OF ERNIE LOPEZ

Good Morning:

Please find attached the demand letter on behalf of my client Ernie Lopez.

Thank-you.

Eric D. Dixon

Attorney and Counselor at Law, P.A.

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September 4th, 2025

Mr. Todd Brogowski
Mountainair Dispatch
HC 66 Box 1107,
Mountainair, New Mexico, 87036
tood@mountainairdispatch.com

Re: My client-Ernie Lopez

Dear Mr. Brogowski:

I represent Mr. Ernie Lopez. I have reviewed the article that you posted on October 13th, 2023 headlined "A History of Violence and Financial Troubles." The "article" is available at <https://www.Mountainairdispatch.com/lopez-criminal-history-20231013>. The statements contained therein are material false and defamatory. Demand is made for an immediate retraction of the story, and a public apology. These false and defamatory statements have caused Mr. Lopez considerable embarrassment and exposed him to contempt, harmed his reputation, discouraged others from associating and/or dealing with him. As a result, you have harmed Mr. Lopez's good name and character among his friends, neighbors, and acquaintances; harmed his good standing in the community; caused him personal humiliation and mental anguish and suffering. I will demonstrate the falsity of the statements below.

You claim "[i]n 1991, Lopez was convicted of aggravated assault." This claim is demonstrably false.

1991:

State v. Ernie Lopez-Bernalillo County aggravated assault. This is not involving my client.

Sunwest Bank of Albuquerque and Alhambra Landscape Co., Inc. v. Ernie Lopez.

This did not involve my client. Instead, an Ernie Lopez with an address of 1220 Foothill Rd. S.W., Albuquerque, New Mexico, 87105 was involved.

1992:

State v. Ernie Lopez-Bernalillo County Metropolitan Court T-4-CR-1992-009954-battery against a household member. Not my client.

State v. Ernie Lopez-Bernalillo County-probation violation. Not my client.

State v. Ernie Lopez-Bernalillo County-failure to pay fines. Not my client.

These cases involved Ernie Martin Lopez who is described as 6 feet tall with an address of 217 Delmar LP, NW. Apt. D, Albuquerque, NM, 87107.

The article falsely claims "Lopez was again charged with battery against a household member in 1996.

1996:

State v. Ernie Lopez-Bernalillo County-Aggravated battery against a household member. T-4-DD-1996-001798. This case involved Ernie Martin Lopez with a date of birth of 1957. The matter was dismissed.

You falsely claim "[i]n 1998, Lopez was charged with driving while intoxicated (DWI)."

1998:

General Motors Acceptance Corp. v. Ernie Lopez, D-1314-CV-1998-00117. This did involve my client, however the action was stayed by filing a chapter 7 bankruptcy. GMAC did not seek to have the stay lifted, and did not further pursue any collection activity.

City of Clovis v. Ernie Lopez, U-86-DR-1999-00628. This involved another person whose address was 309 N. Edward, Clovis, N.M., 88101.

Sun City Finance Co. v. Ernie Lopez, M-14-CV-1998-01945. This involved another person with a similar name.

In re Ernie Lopez-Chapter 7 Bankruptcy. 98-12120-m7. United States Bankruptcy Court for New Mexico. Mr. Lopez filed a no-asset chapter 7 liquidation case in the United States District Court for New Mexico as is his constitutional and statutory right. He received a discharge in bankruptcy. As you may know, a discharge means that a creditor may not take action to enforce a pre-existing debt. However, it does not prevent a debtor from paying off the debt with interest if he so chooses. Mr. Lopez received a discharge on July 8th, 1998, some 27 years ago now. Please note that a current member of the New Mexico Supreme Court was forced to file a chapter 7 bankruptcy years ago and has gone on to distinguished public service as a jurist here in New Mexico. Please also note, the 45th and 47th President of the United States has properly requested relief under the United States Bankruptcy Code (chapter 11), at least five previous times as is his constitutional and statutory right.

The article falsely claims in 2007 Mr. Lopez “was charged with battery of (sic) a household member and criminal damage to property.

2007:

State v. Ernie Lopez-assault against a household member-Curry County Magistrate Court M-12-MR-2007-00384. This case involved an Ernie Lopez with a date of birth of 05-28-1977 a height of 5 foot 11 inches and NMDL: 6821. This case did not involve my client.

You go on to falsely claim that “[i]n 2010, Lopez was charged with battery against a household member and injury to the health of a child.”

2010:

State v. Ernie Lopez-battery against a household member. T-4-DV-2010-002963. This involved a person by the name of Ernie H. Lopez not my client.

2011:

Ernie Lopez v. Debra Ann Lopez-D-722-DM2011-00033. Mr. Lopez filed a petition for dissolution of marriage in Torrance County New Mexico. A Final Decree of Dissolution of Marriage was filed on April 6th, 2011.

Whispering Sands Apts. v. Ernie Lopez and Felicity Lopez and Donovan Wilson T-4-CV-2012-002390. Bernalillo County Metropolitan Court-land-lord tenant restitution case. This case did not involve my client.

2013:

Los Lunas Consumer Finance, Plaintiffs v. Deborah Lopez, Ernie Lopez, Defendants, M-59-CV-2013-000294 Valencia County, Magistrate Court. The matter was dismissed on November 4th, 2013.

2015:

State v. Ernie Lopez, No. T-4-DW-2015-000392. Bernalillo County Metropolitan Court. Charge of alleged driving while intoxicated. This matter did involve my client. However, the matter was dismissed, no conviction was gained.

2016:

Ernie Lopez v. Michele Teixeira-domestic violence; petition to determine paternity. This involved Ernie Martine Lopez not my client.

John and Nancy Erickson v. Ernie Lopez and Michelle Teixeira, No. M-59-CV-2016-00179 Valencia County Magistrate Court, Los Lunas, N.M. This did not involve my client.

2019:

Robert Lopez, Amy Isaacs, Dorothy Baca v. Vincent Lopez, Dominique Chavez, Ernie Lopez, Donald Lopez. This involved the deed for Mr. Ernie Lopez's deceased mother's home. This was resolved.

2022:

Lopez v. Town of Mountainair, D-722-CV-2022-00101. Torrance County, N.M. claim resolved to the mutual satisfaction of both parties.

November 2nd, 2023:

You falsely claim that in 2023 there was one potential domestic violence incident and the other an assault incident both in Mountainair. Neither of these claims are true.

Conclusion:

Your article puts Mr. Lopez in a false light. He filed a chapter 7 bankruptcy 27 years ago which was discharged; a divorce proceeding 14 years ago; allegations of impaired driving 11 years ago which were dismissed and did not result in any conviction against my client; and a probate proceeding. Your article chimerically claims that my client was involved in "an unusually large number of criminal and civil cases in both state and federal courts" One chapter 7 bankruptcy 27 years ago is hardly a large amount of federal court litigation. Nor is his state court litigation "unusually large" as you apocryphally allege. We reiterate that you must withdraw the article as a materially false and intentional defamation of my client, issue a public apology and submit this letter to your insurance carrier. If I do not hear from you within ten (10) days of the date of this letter I will advise my client of his additional options including but not limited to filing a civil law-suit for defamation requesting damages, punitive damages, costs and such other relief that may be available to him.

Very truly yours,



Eric D. Dixon

EDD/d
cc: client