

**STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT**

FILED 1st JUDICIAL DISTRICT COURT
Santa Fe County
5/15/2025 4:17 PM
KATHLEEN VIGIL CLERK OF THE COURT
Mayra Mendoza-Gutierrez

**IN THE MATTER OF THE ESTATE OF
HARLEY GLEN SMITH, deceased.**

**No. D-101-CV-2025-01261
Case assigned to Mathew, Francis J.**

**PETITION FOR APPOINTMENT OF WRONGFUL
DEATH PERSONAL REPRESENTATIVE**

Petitioner Megan Dorsey, by and through her counsel of record, EGOLF + FERLIC + MARTINEZ + COX, LLC. (Kristina Martinez, Kate Ferlic, and Ben Osborn) hereby respectfully petitions the Court for an order appointing her Wrongful Death Personal Representative of the Estate of Harley Glen Smith, deceased, for purposes of litigation. As grounds therefore, Petitioner states:

1. Petitioner is an attorney in good-standing practicing under the laws of the State of New Mexico and is familiar with her rights and responsibilities to the Estate of Harley Glen Smith under the New Mexico Wrongful Death Act. Petitioner's office is located in Santa Fe, New Mexico.

2. Harley Glen Smith (Decedent) died on March 24, 2025 and more than 120 hours have passed since his death. At the time of his death, Decedent was a resident of Santa Fe, Santa Fe County, New Mexico. These facts give rise to seek this appointment to pursue a wrongful death case in the State of New Mexico.

3. There is currently no Wrongful Death Personal Representative appointed for the Decedent in New Mexico or elsewhere.

4. Petitioner intends to make claims against the responsible individuals on behalf of the Estate of Harley Glen Smith for their negligence which caused his death on March 24, 2025.

5. Petitioner has not received and is not aware of any demand for notice or any other wrongful death or appointment proceeding.

6. Petitioner will provide notice to all person(s) having a right to notice.

7. Potential claims exist for the wrongful death of Harley Glen Smith, which claims are governed by the New Mexico Wrongful Death Act, NMSA 1978 Section 41-2-1.

8. The time for bringing an action under the Wrongful Death Act has not expired since the death of the Decedent.

9. This appointment is for purposes of pursuing these claims in litigation only and is not an appointment for probate purposes.

10. This petition is filed pursuant to the Wrongful Death Act and to carry out the duties and responsibilities inherent therein and required thereof.

WHEREFORE, Petitioner prays for an order appointing her as the Personal Representative to pursue a wrongful death action on behalf of the survivors and statutory beneficiaries of Harley Glen Smith, and for such other and further relief as may be proper.

Respectfully submitted,

EGOLF + FERLIC +
MARTINEZ + COX, LLC

/s/ Kristina Martinez

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