

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

Furr's Supermarkets Inc.

No. 11-01-10779 SA

Motion to Remove JD Behles & Associates,
A Commercial Law Firm, from the Case

FILED
12:00 MIDNIGHT

MAY 22 2002

CLERK BUA
United States Bankruptcy Court
Albuquerque, New Mexico

Now Comes the New Mexico Taxation and Revenue Department ("Department") moving to have JD Behles and Associates, A Commercial Law Firm, removed from the case, states:

1. On May 21, 2002, the state district court in Santa Fe enjoined JD Behles & Associates, A Commercial Law Firm, PC ("the Firm") from doing business in New Mexico until it ceases being a delinquent taxpayer. No. D-101-CV-02001-02733.¹ Although a written order has not been entered (Ms. Behles would not approve the Department's form of order) a clear injunction issued in the presence of the person to be enjoined is effective immediately notwithstanding the lack of a written order. *Shildt v. FBI*, 113 F.3d 1237 (10th Cir. 1997) (unpublished); *Bliss v. Casarez*, 52 N.M. 406, 200 P.2d 369 (1948).
2. During the trial before the Hon. James Hall, which lasted nearly a whole day, it was established that the Firm had not filed a gross receipts tax return in approximately three years.

¹ New Mexico statutes, section 7-1-8 was recently clarified to provide that the Department's confidentiality statutes do not apply to matters that can be acquired through "public sources."

677

J.D. Behles & Associates

A Commercial Law Firm

400 Gold Avenue, SW, Suite 400

P. O. Box 849

Albuquerque, NM 87103-0849

(505) 243-9756

Facsimile (505) 243-7262

FACSIMILE TRANSMITTAL COVERSHEET

DATE: 5/22/02 RE: WARD

TO: Don Harris TELEFAX NO: 1-505-841-6315
hewitt Terr 1-505-827-0915

MESSAGE AND DOCUMENTS ATTACHED: see enclosed. Paul Fish called me about Harris call to him about your motion to deny my appearing as local counsel in this case against you. Stop this letter to Judge Hall, your selves to follow. Any damage will result in me bringing you in front of Judge Hall.

FROM: Jennie D Behles

You should receive 3 pages of copy including this coversheet. Please call (505) 243-9756 immediately if you experience any difficulty in receiving this transmission.

Tiffany Robinson
Operator

CONFIDENTIALITY NOTE

The documents accompanying this telecopy transmission contain information from the law firm of J.D. Behles & Associates intended only for the use of the individual or individuals named on this coversheet. If you are not the intended

recipient, you are hereby notified that any disclosure, copying, distribution of or taking of any action and reliance on the contents of this telecopied information is strictly prohibited. The documents should be returned to this firm immediately. In this regard, if you have received this telecopy in error, please notify us by telephone immediately so that we can arrange for the return of the documents at no cost to you.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re:

FURR'S SUPERMARKETS, INC.,

No. 11-01-10779SA

Debtor.

Notice of Firm Name Change and request For Notice Pursuant to Rule 9036

COMES NOW J.D. Behles & Associates, A Commercial Law Firm, (Jennie Deden Behles), and gives notice of its change of firm name for resident counsel on behalf of, Metropolitan Life Insurance Co., claimant herein. Request is hereby made that all notices and other mailings transmitted by the Court in this matter, including any Notice of Abandonment, be directed to J.D. Behles & Associates, a Commercial Law Firm, (Jennie D. Behles) Post Office Box 849, Albuquerque, New Mexico 87103-0849.

Respectfully Submitted,
J.D. Behles & Associates,
a Commercial Law Firm

**Original Filed by
JENNIE D. BEHLES**

By: _____
Jennie Deden Behles
P.O. Box 849
Albuquerque, N.M. 87103
(505) 243-9756
Fax: 243-7262

I hereby certify that a true and correct copy of the foregoing was mailed to:

All parties listed on attached Court matrix

this 22th day of May, 2002.

By: _____
Jennie D. Behles

**Original Filed by
JENNIE D. BEHLES**