

STATE OF NEW MEXICO  
COUNTY OF LEA  
FIFTH JUDICIAL DISTRICT COURT

NM MEDICAL OFFICES, LLC,  
Plaintiff,

v.

No. D-506-CV-2023-00768

NATGAS, INC,  
Defendants.

**EMERGENCY MOTION FOR  
REPLEVIN AND DAMAGES**

COMES NOW, Plaintiff, NM Medical Offices, LLC, along with their attorney, **ROSS R. BETTIS**, The Law Office of Ross R. Bettis, and for its cause of action states:

*AUTHORITY: NMSA 42-8-1 Any person having a right to the immediate possession of any goods or chattels, wrongfully taken or wrongfully detained, may bring an action of replevin for the recovery thereof and tm for damages sustained by reason of the unjust caption or detention thereof.*

1. The court has jurisdiction over the parties and subject matter.
2. Irreparable harm will be suffered by NM Medical Offices LLC if the court does not intervene and make a ruling restoring access to their leased office space:
  - A. Patient treatment is denied
  - B. Controlled substances kept on premises by Clinician with DEA number and authority.
  - C. Lost revenue into the thousands of dollars.
  - D. HIPPA protected medical records stored in filing cabinets.
3. A Complaint for breach of contract was filed with this court on August 4, 2023 and served to counsel for NATGAS on Friday August.
4. Plaintiff's have a valid commercial lease for 10 years with an option to extend for 10 more years.
5. Plaintiff operates a Medical Office in Lea County New Mexico consistent with the laws of the State of New Mexico for medical practice.
6. Defendant, while knowing that the filing of a law suit prevented further action on their part/self help, intentionally changed the locks preventing NM Medical Offices, LLC from accessing their offices knowing of the damages they would

cause NM Medical LLC.

7. Plaintiff has incurred damages as a result of the actions of defendant of upwards of \$2,500 per day and counting.
8. The court must intervene to preserve the status quo and prevent irreversible damages by the defendant.
9. Clients of plaintiff have not been able to access medical services they would have otherwise been able to access at the clinic.
10. Plaintiff does not have access to their office, medical records, control substances, and their equipment.
11. South East New Mexico does not have a lot of medical providers and the defendant is prevented from lawfully providing services and treating patients due to the actions of defendant.
12. Plaintiff stands to lose employees who can not work due to defendant's actions.
13. The Plaintiff required the assistance of counsel in filing of this motion which was necessitated by her actions and therefore, Defendant should be responsible for Plaintiff's attorney fees and costs associated with this matter.
14. Plaintiff is requesting the court set this motion for a short emergency hearing by August 16, 2023.
15. Opposing counsel, Chris Mills and D'nae Robinette-Mills, have been contacted and oppose this motion. 1826 N. Jefferson, Hobbs, N.M. 88240 (575) 397-7550.

**WHEREFORE**, Plaintiff requests this Honorable Court enter an order requiring Defendant to give plaintiff keys to doors and allow access to the medical clinic and for such other and further relief as the Court deems proper.

Respectfully submitted by:  
**Law Office of Ross R. Bettis**



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