

# Timothy L. Garcia

## Professional Resume

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### PROFESSIONAL PROFILE



#### EXPERIENCE

New Mexico Supreme Court, by Designation  
New Mexico Court of Appeals Judge  
New Mexico District Court Judge  
Private Attorney

Judge Garcia has thirty-eight years of legal experience as a private attorney, trial court judge, and appellate court judge. After serving over fifteen years on the bench, Judge Garcia retired from the Court of Appeals in 2018 and has returned to the private practice of law, where he continues to work primarily in the areas of alternative dispute resolution, including mediation, arbitration, in-depth case evaluation for trials and appeals, and mock trial services.

Judge Garcia continues to be known for his preparation, detail-oriented analysis and interactive approach to resolving tough issues. Over a career of nearly four decades, Judge Garcia's business and management experience in both the private and public sectors is also comprehensive, including running two law firms.

### JUDICIAL HIGHLIGHTS

#### New Mexico Court of Appeals ▪ 2009-2018

##### Key Authorships

- *Morga v. FedEx*, 2018-NMCA-039 (addressing a jury's large damage awards and the district court's post-trial rulings).
- *Morris v. King*, Case 2015-NMCA-100 (addressing physician assistance to terminally ill patients under the New Mexico Constitution).
- *Flagstar Bank, FSB v. Licha*, 2015-NMCA-086 (addressing the requirements to establish standing in mortgage foreclosure proceedings).
- *Sanders-Reed v. Suzana Martinez*, 2015-NMCA-063 (addressing whether the common law public trust doctrine imposes a duty on the state regulators).
- *Brown v. Kellogg*, 2015-NMCA-006 (addressing the legal duty to order a fitness for duty evaluation of an officer).
- *Elane Photography v. Willock*, 2012-NMCA-086 (addressing a photographer's constitutional right to refuse photography services to a gay couple because of their sexual orientation).

##### Significant Appellate Participations and Designations

- *Encinas v. Whitener Law*, 2015-NMSC-045 (recognizing an exception to sovereign immunity for injuries occurring on school property).
- *High Country Buick GMC v. N.M. Taxation & Revenue*, 2016-NMCA-027 (addressing successor-in-business tax liability).
- *Estate of Saenz v. Ranack Construction Inc.*, 2015-NMCA-113 (addressing joint and several liability in construction accidents).
- *Figueroa v. THI*, 2013-NMCA-077 (addressing the unconscionability of nursing home contracts).

**Major Trials and Proceedings**

- *Gurule v. Ford Motor Company*, Case No. D-0117-CV-2007-214 (addressing a wrongful death/product liability claim arising from a roll-over accident involving a Ford truck).
- *Estate of Gutierrez v. Durand*, Case No. D-0101-CV-2006-311 (addressing employer liability for a fatal wrongful death accident by a free-lance worker).
- *Gallegos v. Hacienda Home Centers*, Case No. D-0117-CV-2005-323 (addressing damages resulting from a major fire that spread to neighboring properties).
- *State of NM v. Jesus Avilas Dominguez*, Case No. D-0101-CR-2004-521 (death penalty prosecution regarding the killing of another inmate at the Santa Fe County Detention Center).
- *Armijo v. Walmart Stores*, Case No. D-0117-CV-2000-2211 (class action lawsuit addressing claims of non-payment of wages and overtime at Walmart and Sam’s Club stores in New Mexico).

**EDUCATION**

**The University of New Mexico  
Albuquerque, New Mexico**

**Juris Doctorate Degree – 1984  
Bachelor of Business Administration – 1979**

**MEMBERSHIPS / ASSOCIATIONS**

<i>Member</i> , American Arbitration Association	2019 – Present
<i>Contract Panel Member</i> , Phillips ADR Enterprises	2019 – Present
<i>Member</i> , New Mexico Bar Association	1984 – Present
<i>Volunteer Mediator</i> , First Judicial District Court - Settlement Program	1990 – 2002
<b>Board Member</b>	
▪ Santa Fe Boys & Girls Club	1987 - 1993
▪ Santa Fe American Little League	1997 - 1999
▪ National Men’s Senior Tennis Association	2022 - Present
<i>Member</i> , Association of Tennis Professionals	1979 – 1982
▪ Grand Prix Tour Professional	1978 – 1981
<i>Member</i> , United States Tennis Association (USTA)	Life Member
▪ USTA National & Sectional Leadership Committees	2002 - 2021
▪ USTA Southwest Section President or Delegate	2016 – 2021
▪ USTA Southwest Section Board of Directors	2016 - Present