

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Kimberly Hunt-Brown v. New Mexico General Services Department, et al.

No. 1:23-cv-00782-SMD-KK · No. No. 1:23-cv-00782-SMD-KK · Decided March 10, 2026

SUMMARY

The United States District Court for the District of New Mexico grants Plaintiff Kimberly Hunt-Brown's motion to remand her remaining New Mexico Human Rights Act disability-accommodation claim to state court. The court declines to exercise supplemental jurisdiction after granting summary judgment on all federal claims, concluding that comity and federalism outweigh concerns about judicial economy and the approaching trial date. The case is remanded to the First Judicial District Court for Santa Fe County, New Mexico.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Sarah M. Davenport
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 10, 2026
DOCKET	No. 1:23-cv-00782-SMD-KK
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand a removed action after the district court granted defendants summary judgment on all federal claims, leaving only a New Mexico Human Rights Act failure-to-accommodate claim.
STANDARD OF REVIEW	The decision whether to exercise supplemental jurisdiction is discretionary and is reviewed under the factors of judicial economy, convenience, fairness, and comity.
PRECEDENTIAL VALUE	unpublished district court order; persuasive only
PARTIES	Kimberly Hunt-Brown v. New Mexico General Services Department, et al.

TOPICS

civil procedure

subject matter jurisdiction

summary judgment

ada / disability

disability discrimination

PRACTICE AREAS

civil procedure

employment law

disability discrimination

supplemental jurisdiction

QUESTIONS PRESENTED

1. Whether the district court should exercise supplemental jurisdiction over the remaining NMHRA disability-accommodation claim after dismissing all federal claims.
2. Whether considerations of judicial economy, convenience, fairness, and comity supported remanding the remaining state-law claim to state court.

HOLDINGS

1. The district court declined to exercise supplemental jurisdiction over the remaining NMHRA claim because the federal claims had been dismissed and the interests of comity and justice favored allowing New Mexico courts to decide the state-law issue.
2. The approaching trial and prior federal-court proceedings did not provide compelling reasons to retain jurisdiction because remand would require few duplicative efforts.

KEY QUOTATIONS

“The decision to exercise supplemental jurisdiction is “purely discretionary.””

“Federal courts must always avoid rendering “[n]eedless decisions of state law . . . both as a matter of comity and to promote justice between the parties, by procuring for them a surer-footed reading of applicable law.””

“The Court therefore finds that “the interest in comity—leaving to the states to decide novel questions of state-law—clearly predominates here” and declines to exercise supplemental jurisdiction over Plaintiff’s NMHRA claim.”

FACTUAL BACKGROUND

Plaintiff filed claims under the FMLA and NMHRA in New Mexico state court, and defendants removed the case based on federal-question jurisdiction. Following discovery and cross-motions for summary judgment, the district court granted defendants summary judgment on all claims except plaintiff’s NMHRA claim alleging failure to accommodate a disability. Although trial preparation had begun and a trial date was approaching, the court had not ruled on motions in limine, made evidentiary findings, or admitted witnesses.

PROCEDURAL HISTORY

Plaintiff filed suit in the First Judicial District Court for Santa Fe County, New Mexico, asserting claims under the Family and Medical Leave Act and the New Mexico Human Rights Act. Defendants removed the action to federal court under federal-question jurisdiction. After discovery and cross-motions for summary judgment, the court dismissed all federal claims but left the NMHRA disability-accommodation claim. The district court granted plaintiff’s motion to remand the remaining state-law claim to the First Judicial District Court for Santa Fe County.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case was remanded to the First Judicial District Court, County of Santa Fe, State of New Mexico.

CASES CITED

- Carlsbad Technology, Inc. v. HIF Bio, Inc., 556 U.S. 635, 639 (2009)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 (1988)
- United Mine Workers of America v. Gibbs, 383 U.S. 715, 726 (1966)
- Brooks v. Gaenzle, 614 F.3d 1213, 1229-1230 (10th Cir. 2010)
- Smith v. City of Enid ex rel. Enid City Commission, 149 F.3d 1151, 1156 (10th Cir. 1998)
- Thatcher Enterprises v. Cache County Corporation, 902 F.2d 1472, 1478 (10th Cir. 1990)
- Trujillo v. Northern Rio Arriba Electric Cooperative, 41 P.3d 333 (N.M. 2001)
- Goodman v. OS Restaurant Services, LLC, 461 P.3d 906, 914 (N.M. Ct. App. 2019)
- Birdwell v. Glanz, 790 F. App'x 962, 964 (10th Cir. 2020)
- New Mexico v. General Electric Co., 335 F. Supp. 2d 1157, 1179 (D.N.M. 2003)
- Estate of Reat v. Rodriguez, 824 F.3d 960, 967 (10th Cir. 2016)
- Aery v. Board of County Commissioners of Tulsa County, 696 F. App'x 360, 361 (10th Cir. 2017)
- Merrifield v. Board of County Commissioners for County of Santa Fe, 654 F.3d 1073, 1086 (10th Cir. 2011)
- Salazar v. San Juan County Detention Center, 301 F. Supp. 3d 992, 1004 (D.N.M. 2017)
- Henderson v. National Railroad Passenger Corp., 412 F. App'x 74, 79 (10th Cir. 2011)