

**STATE OF NEW MEXICO Plaintiff-Appellee,
vs.
JOHN EDWARD MUNDZAK, Defendant-Appellant**

No. 1084

COURT OF APPEALS OF NEW MEXICO

1971-NMCA-053, 85 N.M. 79, 509 P.2d 271

April 13, 1971

Appeal from the District Court of Chaves County, Snead, Judge

COUNSEL

BRIAN W. COPPLE, Roswell, New Mexico, Attorney for Appellant.

DAVID L. NORVELL, Attorney General, JAY F. ROSENTHAL, Special Assistant Attorney General, Santa Fe, New Mexico, Attorneys for Appellee.

JUDGES

SUTIN, Judge, wrote the opinion.

WE CONCUR:

Joe W. Wood, C.J., William R. Hendley, J.

AUTHOR: SUTIN

OPINION

{*80} SUTIN, Judge. OPINION

{1} Following a plea of guilty, the defendant was sentenced for attempting to distribute a controlled substance (LSD). See §§ 40A-28-1, N.M.S.A. 1953 (2nd Rep. Vol. 6) and 54-11-22, N.M.S.A. 1953 (Int. Supp. 1972).

{2} On this appeal, defendant contends that the judgment and sentence imposed are invalid because he did not understandingly and voluntarily enter his plea of guilty.

{3} The record discloses nothing to support defendant's contention.

{4} Affirmed.

{5} IT IS ORDERED.

WE CONCUR:

Joe W. Wood, C.J., William R. Hendley, J.