

STATE V. BENTON

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STATE OF NEW MEXICO,
Plaintiff-Appellant,
v.
KIRK BENTON,
Defendant-Appellee.

No. 35,761

COURT OF APPEALS OF NEW MEXICO

May 2, 2017

APPEAL FROM THE DISTRICT COURT OF OTERO COUNTY, Angie K. Schneider,
District Judge

COUNSEL

Hector H. Balderas, Attorney General, Maris Veidemanis, Assistant Attorney General,
Santa Fe, NM, for Appellant

Kicklighter Law PC, Molly Kicklighter, Alamogordo, NM, for Appellee

JUDGES

TIMOTHY L. GARCIA, Judge. WE CONCUR: J. MILES HANISEE, Judge, JULIE J.
VARGAS, Judge

AUTHOR: TIMOTHY L. GARCIA

MEMORANDUM OPINION

GARCIA, Judge.

{1} The State appeals from an order granting a motion to suppress. We issued a calendar notice proposing to affirm. The State has filed a response informing us that it will not be filing a memorandum in opposition. Accordingly, we affirm the district court.

{2} IT IS SO ORDERED.

TIMOTHY L. GARCIA, Judge

WE CONCUR:

J. MILES HANISEE, Judge

JULIE J. VARGAS, Judge